

DOCUMENTS DEPARTMENT

U.S. GOVT.
PRINTING OFFICE



GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY

SAN FRANCISCO
PUBLIC LIBRARY

REFERENCE
BOOK

Not to be taken from the Library

DEC 1 2 1995

SAN FRANCISCO PUBLIC LIBRARY



3 1223 03475 3245

45
2
8/92
JANUARY 8, 1992

minutes
REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, January 8, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

APPROVAL OF MINUTES OF MEETING OF OCTOBER 23, 1991

Approval of Minutes of Meeting of October 23, 1991, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 8-92

GENERAL ORDER R-7, "SEAT BELT POLICY"

RESOLVED, that the Police Commission hereby approves General Order R-7, "Seat Belt Policy".

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 9-92

REQUEST OF THE CHIEF FOR APPROVAL TO ACCEPT A DONATION OF 4 SPECIALIZED ROCKHOPPER COMP BICYCLES AND 4 CYCLING HELMETS

RESOLVED, that the request of the Chief of Police for approval to accept a donation of four (4) 1992 model Specialized Rockhopper Comp bicycles and four (4) Air Force II cycling helmets by Mr. Ricky Strawn, Western Regional Sales Manager, Specialized Bicycle Components, Morgan Hill, California, estimated value of \$2,200, for use by the Mission Station Community Police Officer Program, is hereby approved.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

POLICE COMMISSION REPORT

Commissioner Craig stated that there is nothing to report.

a.) MOTION ON CALENDARING OF NEW MATTERS

None.

b.) PUBLIC COMMENTS

Reverend James Schexnayder, Director HIV AIDS Services, Catholic Charities in Oakland, stated that he has been a complainant in case 1069-89 (OCC) regarding October 6th, 1989 demonstration. He stated that he has not been interviewed by OCC regarding incident, received a written response regarding results of investigation and appealed their decision. He stated that the decision of

DOCUMENTS DEPT.

MAY 2 4 1992

SAN FRANCISCO
PUBLIC LIBRARY

1-1000 2000 3000 4000 5000 6000 7000 8000 9000 10000

1000 2000 3000 4000 5000 6000 7000 8000 9000 10000

proper conduct is unacceptable to him. He urged the Commission to address the injustices in the process and complains of the confidentiality aspect of the process. He supported the Mayor's Task Force recommendations.

Ruth Ellen Miller, burglary/assault victim, addressed the Commission and thanked officers involved when incident occurred. She complimented Inspector Marty Bastiani handling of the investigation.

John Crew, ACLU, stated that after reviewing the OCC statistical report for the third quarter, he noticed a 34% increase in brutality cases. He requested a hearing be scheduled to address the issue. Chief Casey stated that the information is contained in the OCC office and never forwarded to Management Control Division. Commissioner Craig scheduled report by OCC for February 5th. She also asked the OCC to report back to the Commission on January 22 and update on the disposition of the October 6th, 1989 complaints. Both matters calendared as requested.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey introduced Officer Lois Perillo who briefed the Commission on the bicycle program and displayed one of four bikes donated to the department by Specialized Bicycles, Inc.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

John Parker stated that there is no report and asked that four policy recommendations be calendared for February 26th.

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Put over to January 22nd.

RESOLUTION NO. 1-92

REQUEST FOR TRANSFER OF PROJECTED SURPLUS IN
PERMANENT SALARIES-MISCELLANEOUS AND MANDATORY
FRINGES ACCOUNT TO COVER PROJECTED DEFICIT IN
OVERTIME-UNIFORM ACCOUNT

WHEREAS, the Police Department has deficit in the Overtime-Uniform account and projected surplus in the Permanent Salaries-Miscellaneous and Mandatory Fringes account; therefore be it

RESOLVED, that request is made to transfer the projected surplus in Permanent Salaries-Miscellaneous and Mandatory Fringes account to cover the projected deficit in Overtime-Uniform account.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 2-92

ACTION ON APPOINTMENT OF ACTING OCC DIRECTOR

RESOLVED, that the appointment of John C. Parker, Senior Investigator, OCC, as Acting

5 36235 SF. E. C. 1000 1000
162 SF 11/22/91 73.

WHEREAS, it was requested by the Police Commission that the date for taking of evidence by Commissioner Keker in the disciplinary charges filed against Sergeant Lawson be set at a later date; therefore be it

RESOLVED, that the date for taking of evidence by Commissioner Keker in the disciplinary charges filed against Sergeant Michael Lawson is to be set at a later date.

AYES: Commissioner Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 5-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES FILED AGAINST OFFICER STEPHEN ORTIZ, SOUTHERN STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Stephen Ortiz, Southern Station, was called it having been set for this date; and

WHEREAS, Commissioner John W. Keker is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Ortiz; and

WHEREAS, it was requested by the Police Commission that the date for taking of evidence by Commissioner Keker in the disciplinary charges filed against Officer Ortiz be set at a later date; therefore be it

RESOLVED, that the date for taking of evidence by Commissioner Keker in the disciplinary charges filed against Officer Stephen Ortiz is to be set at a later date.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 6-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES FILED AGAINST OFFICER RONALD M. BARRETT, WARRANT SECTION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Ronald M. Barrett, Warrant Section, was called it having been set for this date; and

WHEREAS, Commissioner Edward Campana is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Ronald M. Barrett is set for Thursday, January 23, 1992 at 9:00 a.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 7-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES FILED AGAINST OFFICER NICHOLAS SEPICH, MEDICAL LIAISON


WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Nicholas Sepich, Medical Liaison, was called it having been set for this date; and

WHEREAS, it is the decision of the Commission that the hearing will be heard before a full Commission; therefore be it

RESOLVED, that the date for the hearing of Officer Nicholas Sepich is set for Wednesday, January 29, 1992 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

The meeting, thereafter, was adjourned at 6:15 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6464M

ST
245
12
22/92
JANUARY 22, 1992

11 minutes
CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, January 22, 1992 at 4:30 p.m. in Closed Session.

Attorney-Client Conference

Alie Zandstra vs. CCSF, et al
Alison Wright vs. CCSF

DOCUMENTS DEPT.

MAY 24 1992

SAN FRANCISCO
PUBLIC LIBRARY

JANUARY 22, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, January 22, 1992 at 5:30 p.m in a Regular Meeting.

AYES: Commissioners Campana, Craig, Keker, Lee

APPROVAL OF MINUTES OF MEETING OF NOVEMBER 6, 1991

Approval of Minutes of Meeting of November 6, 1991, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 13-92

TAXICAB PERMIT APPLICATION OF NEWELL HEYWOOD, JR.

WHEREAS, the San Francisco Police Commission, pursuant to its authority under Article 16 of the Municipal Police Code, appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Newell Heywood, Jr., based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Newell Heywood, Jr.

AYES: Commissioners Campana, Craig, Keker, Lee

THE UNIVERSITY OF CHICAGO

LIBRARY

500 EAST 57TH STREET

CHICAGO, ILL. 60637

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 14-92

ALIE ZANDSTRA vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maryland Casualty Company, Inc. in Superior Court No. 912-574, Alie Zandstra vs. City and County of San Francisco, et al, in the amount of \$6,107.83 for damages sustained, be, and the same is hereby approved.

Date of Incident: January 22, 1989

AYES: Commissioners Campana, Craig, Keker, Lee

POLICE COMMISSION REPORT

Commissioner Keker stated that he was at the last meeting at which Commissioner Giraudo announced his resignation and complimented his efforts during his tenure as Commissioner and wished him well.

Commissioner Keker stated that the Commission met on litigation matters.

a.) MOTION ON CALENDARING OF NEW MATTERS

Mr. Jerry Akins, Management Control, called item #13 out of order. Matter was then put over to February 19th.

RESOLUTION NO. 11-92

SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER CLIFTON A. MATTHEWS, JR., RECORDS SECTION

WHEREAS, the setting of date to conduct taking of evidence by Commissioner Campana in the disciplinary charges filed against Police Officer Clifton A. Matthews, Jr., Records Section was called it having been set for this date; and

WHEREAS, Mr. Tito Torres, Attorney at Law representing Officer Matthews, has waived the time limitation as set forth in General Order P-11, Section III-K, and the criminal charges on Officer Matthews has not been resolved; therefore be it

RESOLVED, that the setting of date for taking of evidence by Commissioner Campana in the disciplinary charges filed against Officer Matthews is continued to Wednesday, February 19, 1992 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Keker, Lee

b.) PUBLIC COMMENTS

Eli Rosenblatt, Food Not Bombs, complained about the actions of the police department in regards to a demonstration held on January 16th.

Sheila Cummings, Stephen Raye, Greg Price, Kathy Andrews, Scott Woolen (Food Not Bombs) complained about actions of police at demonstration.

Saul Kanowitz complained about actions of police at demonstration, he talked of needle exchange arrests and day laborers at Army and Mission Streets.

Keith McHenry, Food Not Bombs, stated that he was hit by police at demonstration and stated that he was run over by a honda motorcycle there. He asked for banner to be returned.

Commissioner Keker asked the Chief to report back to the Commission next meeting (January 29) regarding department actions at the demonstration.

Alex Vitali, Coalition on Homeless, asked Commission to look into demonstration arrests and other actions of police.

Brian Boyd discussed OCC investigation and status of complaint he made. He stated that he is willing to take polygraph test regarding complaint.

Tim Carico, resident, discussed fees for services proposed earlier last year and status of same. City Attorney Mara Rosales responded and stated that the Commission voted not to forward proposal.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey reported on career development advisory report prepared under direction of Captain Mike Hebel. Chief stated that he is forwarding a copy of report to each Commissioner for review and calendars for review and discussion for February 12th.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. John Parker stated that the office has hired an additional investigator who is going through training.

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Campana briefed the Commission on Awards Committee and stated that seven Gold Medals of Valor were approved. He made a motion for approval, seconded by Commissioner Lee and it was unanimously approved.

RESOLUTION NO. 10-92

AWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following named members of the Police Department have been commended for courageous service under the provisions of General Order 0-5, Sections 1-A and 1-C of the San Francisco Police Department, as approved by the Awards Committee on Friday, January 3, 1992; and

WHEREAS, Chief of Police Willis A. Casey has recommended to the Police Commission that said members be rewarded under the provisions of Section 8.405(a) (4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Sergeant Joel Harms, Officer Leonard Bell, Officer Kevin Cleary, Officer Christopher Knight, Officer Robert Mammone, Officer Nicholas Shihadeh and Officer Rob Ziegler are hereby awarded the Gold Medals of Valor and granted rewards of \$500.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Officer Michael Bolte and Officer Paul Lozada are hereby awarded the Silver Medals of Valor and granted rewards of \$300.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Lieutenant James Long, Lieutenant Peter Otten, Officer Joseph Buono, Officer James Custer, Officer Jerome DeFilippo, Officer Robert Hart, Officer John Haverkamp, Officer Herman Popp, Officer Richard Quesada, Officer Raymond Ragona, Officer R. Michael Ramos, Officer Hector Sainez, Officer Henry Shishmanian, Officer Billy Smith, Officer Craig Tom, Officer Michael Toropovsky, Officer Barry Weaver, Officer Marshall Wong, Officer Craig Woods and Officer Jeremy Zatkan, be, and they are hereby awarded Bronze Medals of Valor and granted rewards of \$150.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Inspector Timothy A. Foley, Inspector Marion Jackson, Inspector Eric Olsen, Sergeant Frank Harrington, Sergeant Michael Johnson, Sergeant John Murphy, Officer Harold Butler, Officer Paul Lozada, Officer David Martinovich and Officer Pamela Wormes, be, and they are hereby awarded Meritorious Conduct Awards and granted a reward of \$150.00 each, as provided for under said Section of the Charter.

AYES: Commissioners Campana, Craig, Keker, Lee

REPORT BY OCC ON DISPOSITION OF COMPLAINTS OF
OCTOBER 6, 1989

John Parket stated that 37 complaints were filed against police regarding October 6, 1989 demonstration. These complaints were merged into 13 cases of which 6 were sustained. Two were policy recommendations and the others involved unnecessary force and unwarranted actions. Two cases are awaiting Commissioner hearings. Sixteen complainants filed complaints regarding the sweep and after investigation, the OCC determined that execution and scope of the sweep of the Castro Street area was proper conduct and parties notified. Requests for investigative hearings were granted with hearings held in November 1991. The hearing officer determined that the actions of police were proper conduct.

Anne Brick, ACLU, asked for copy of hearing officer's decision.

Brian Bringardner complained of not being notified of results of complaint. He also complained of investigative hearing and delay in same.

John Crew, ACLU, asked why it 1 1/2 years instead of 60 days. OCC to investigate and report back.

Jill Tregor, CUAU, expressed concerns regarding OCC process.

STATUS REPORT ON PERMANENT OCC DIRECTOR'S POSITION

This matter was put over one week at request of the Mayor's Office.

John Crew, ACLU, asked Commission to forward comments to Mayor regarding this matter. Commissioner Keker stated that he should communicate directly to the Mayor's Office.

John Crew also commented regarding no permanent director, the finding of director with civilian oversight experience and management experience. Commissioner Craig expressed civilian oversight experience. Jill Tregor expressed concerns regarding Director of OCC.

CONSIDERATION OF ESTABLISHING VOLUNTEER BILINGUAL PROGRAM FOR OFFICERS

Commissioner Lee presented bilingual program proposal and discussion followed. Motion to have Chief Casey report back in one month regarding proposal. Motion was approved.

DISCUSSION ON IMPLEMENTATION OF MAYOR'S DISCIPLINE TASK FORCE RECOMMENDATION ON OPENNESS OF OCC PROCEEDINGS

Commissioner Keker discussed Openness and concerns. John Crew addressed issued. Sylvia Courtney, attorney for POA, discussed meet and confer issue and suggested a meeting with all concerned if changes are recommended by Commission.

Mary Vail talked of equalizing access to complainant and officers. Mara Rosales to report back in one week regarding meet and confer issue. Commissioner Keker made a motion for City Attorney to draft a resolution implementing as much of the task force recommendations regarding Openness as possible consistent with existing law. City Attorney is to draft resolution regarding Openness to be circulated to Commissioners by March 4th with hearing on March 11th, with executive session calendared for the 11th. Motion by Commissioner Keker, it was unanimously approved.

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER VINCENT J. VAGO, PARK STATION

Put over one week.

HEARING OF SERGEANT FRANK M. McDONAGH, NORTHERN STATION

The hearing of Police Sergeant Frank M. McDonagh, Northern Station, was called it having been set for this date. Sergeant McDonagh was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or reflects discredit upon the

department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Removing a detained person from the location of a stop and/or physically restraining the person and subsequently releasing said person without issuing a signed release form (violation of Rule II(a) of General Order D-6 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Willis A. Casey, Chief of Police of the San Francisco Police Department.

Sergeant Frank M. McDonagh appeared in person and was represented by Mr. James Collins, Attorney at Law.

Mr. Robert Martin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Mr. James Collins entered a plea of no contest to Specifications No. 1, No. 2 and No. 3 on behalf of Sergeant McDonagh.

The Police Commission unanimously approved and accepted the plea of Sergeant McDonagh.

Based on these findings, the Commission requested a recommendation from Chief of Police Willis Casey. The following recommendation was made by the Chief of Police:

SPECIFICATIONS NO. 1, NO. 2 AND NO. 3

Six (6) months suspension

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 12-92

DECISION - HEARING OF SERGEANT FRANK M. McDONAGH,
NORTHERN STATION

WHEREAS, on June 28, 1991, Willis A. Casey, Chief of Police of the San Francisco Police Department, made and served charges against Sergeant Frank M. McDonagh, and

WHEREAS, the Commission having heard the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION NO. 1

- (1) At all times herein mentioned, Frank M. McDonagh, Star Number 1211 (hereinafter referred to as "the accused") was and is a Police Sergeant employed by the San Francisco Police Department and assigned to Northern Station;

- (2) As a Police Sergeant, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) During the period of November 5, 1989 and January 10, 1990, the accused was assigned as the midnight watch supervising sergeant;
- (4) During the aforementioned months of November, December and January, the accused, while on duty, met, came in contact with and detained at least four female prostitutes;
- (5) During the detention of said female prostitutes, the accused checked for outstanding warrants and upon determining that warrants were outstanding, the accused failed to take any enforcement action;
- (6) The accused, by failing to take any enforcement action upon determining that numerous outstanding misdemeanor and/or traffic warrants existed on the detained persons, has engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:.

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- (7) Paragraph (1) through (4) of Specification No. 1 hereinabove, are realleged and incorporated by reference as though fully set forth herein;
- (8) On several of the occasions as mentioned above, the accused transported the detained person in the department motor vehicle for an extended period of time and distance, prior to releasing said persons. Upon their release, the accused failed to issue a San Francisco Police Department Form 184, a Certificate of Release. The accused, by failing to issue a Certificate of Release after detaining and/or physically restraining the individuals as noted above, has engaged in conduct which constitutes a violation of Rule II(a) of General Order D-6 of the San Francisco Police Department, which states:

"II. ARREST OR PHYSICAL CUSTODY

- A. When a person is removed from the location of a stop for any substantial distance, or is taken to a police facility for further questioning, or is physically restrained in any manner and is subsequently released pursuant to

Section 849(b)(1) Penal Code, the person shall be issued a SFPD 184, Certificate of Release form signed by the releasing officer or his superior officer. The detention must be brief and limited to the amount of time reasonably necessary to conduct the investigation.

1. If it is learned that the person who is to be issued a SFPD 184, Certificate of Release form, has an outstanding warrant(s), the member is still to issue the SFPD 184 for the original detention or arrest; then proceed to handle the warrant matter."

SPECIFICATION NO. 3

- (9) Paragraphs (1) through (4) of Specification No. 1, hereinabove are realleged and incorporated herein by reference as though fully set forth in full;
- (10) During the course of the aforementioned detentions, the accused ordered various known prostitutes into his police vehicle, drove them to isolated and/or out-of-the-way areas and told the women to expose the upper portion of their bodies to him or they would be arrested for their then outstanding warrants;
- (11) On at least two of the aforementioned occasions as set forth above, the accused fondled the breasts of the women and afterwards released them;
- (12) By threatening to arrest the complainants herein and demanding sexual concessions from them in exchange for their release, the accused has engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, January 22, 1992, and on January 22, 1992, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the allegations contained in Specifications No. 1, No. 2 and No. 3 as preferred by the Chief of Police against Police Sergeant Frank M. McDonagh are sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders the following discipline be imposed:

SPECIFICATION NO. 1

Ninety (90) days suspension

SPECIFICATION NO. 2

Ninety (90) days suspension

SPECIFICATION NO. 3

Ninety (90) days suspension

for a total of 270 calendar days suspension; and be it further

RESOLVED, that the 270 calendar days suspension shall commence on Saturday, February 1, 1992 at 0001 hours and end Tuesday, October 27, 1992 at 2400 hours.

AYES: Commissioners Campana, Craig, Keker, Lee

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6512M

45
r
15/92
JANUARY 15, 1992

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in A.P. Giannini Middle School, 39th Avenue and Ortega at 5:30 p.m. in Closed Session.

Personnel Matter

JANUARY 15, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in A.P. Giannini Middle School, 39th Avenue and Ortega at 6:00 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Kecker

DOCUMENTS DEPT.

MAY 26 1992

APPROVAL OF MINUTES OF MEETING OF OCTOBER 30, 1991

SAN FRANCISCO
PUBLIC LIBRARY

Approval of Minutes of Meeting of October 30, 1991, the Commissioners having received, approved, and returned copies of same.

POLICE COMMISSION REPORT

Commissioner Craig greeted the audience and introduced members of the Commission, Police Department and OCC. She stated that the Commission met in executive session and no action was taken. Commissioner Giraudo asked to address the Commission and stated that effective immediately, he is resigning his office of Police Commissioner. He stated that business activities have doubled recently demanding more time and family concerns were decisive in decision. He complimented the department and thanked everyone for their support. He wished the Commission luck in the future. Commissioner Craig responded and thanked Commissioner Giraudo for his services and wished him well. Commissioners Lee and Campana also thanked him for his service.

a.) MOTION ON CALENDARING OF NEW MATTERS

Commissioner Lee proposed that the department establish a basic Spanish and Chinese bilingual program to serve the diverse community. Commissioner Craig asked the Chief to prepare a response and the matter is calendared for next meeting, January 22. He also presented an alternative to suspension proposal in which an officer on suspension can work on his days off or vacation which would be done with no pay as his suspension. He will be sending a detailed proposal for next meeting. Matter was then calendared for January 29th meeting.

Commissioner Campana discussed policy issues on handling of juvenile gang activities. He discussed detaining of minors. He talked of a recent case in the Mission District in which juveniles were detained, released and later, one of the juveniles was attacked and killed. He asked Chief Casey to consider policy regarding juveniles. Chief Casey is to report back to the Commission and this matter was calendared for January 29th.

Sylvia Courtney, attorney for Officer James Lassus, asked that the hearing be put over one month. Matter was calendared for status report on February 26th and hearing scheduled for February 28th and 29th.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey defers report to Captain Cairns of Taraval District.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. John Parker asked to calendar OCC Budget for February 12th. He then briefed the audience on procedures and responsibilities of the OCC.

REQUEST OF THE CHIEF OF POLICE FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT \$46,000 TO COVER SHORTAGE IN THE 1991-92 BUDGET FOR PSYCHOLOGICAL SCREENING

Calendared in error, taken off calendar.

CAPTAIN RICHARD CAIRNS, COMMANDING OFFICER, TARAVAL STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE TARAVAL DISTRICT

Captain Richard Cairns addressed the public regarding activities in the Taraval District. He talked of the present police actions currently being taken regarding problems and concerns of both residents and merchants in the district.

PUBLIC COMMENTS

Hilda Burnstein, President of Liberty Hill Association, talked about Officer Joe Clemens and supported him on the day labor arrests of January 13.

Mr. Ruben commended Commissioner Giraudo and discussed the day labor arrests. He asked for a hearing on the matter.

Charles Bolton talked of a problem in the Valencia, Duncan and Liberty area with day laborers. He asked that signs be posted and extended his support for Captain Gleeson of Ingleside Station.

Mr. Lucinsky, resident on Eucalyptus Street, talked of auto problem mainly speeding and asked for a stop sign at 24th Avenue and Eucalyptus.

Minnie Ward, Oceanview Heights-OMI, thanked Captain Cairns and the Taraval officers for their efforts. She stated that any budget cuts would have an effect on the community.

Connie Weber talked of a problem with day laborers jumping on her car. She supported police actions.

Jim Feliciano, OMI, thanked Captain Cairns and the Chief. He also thanked the officers and discussed budget cuts and the problems created by same.

Phil Zamora, President of SOMA/Mission Merchants Association, discussed day laborer problems.

Trish McCall talked of health and safety issue of day laborers.

Aaron Straus, Mission Merchants Association/St. Lukes Hospital Advisory Board, stated the problem is with the quantity of the day laborers in the area.

John Crew, ACLU, asked for hearing on the day laborer situation and addressed General Order D-6 and asked that a directive be issued.

Frank Martin del Campo, Local 790, stated that the contractors should be arrested not the day laborers.

Al Rubia, resident of the Mission, supported the actions of the police.

Jose Medina, Executive Director, Instituto De La Raza, stated that he is against police actions against day laborers.

Rene Salsera, attorney for day laborers, talked of police action and arrests and urged department to investigate.

Juan Martinez, Sight Manager for Day Labor Program, asked Commission to look into day labor matter and Commissioner Campana discussed how to get the laborers from the Kelly Moore sight to the day labor sight at 17th and Hampshire Streets.

Don Scott, resident at 23rd and Dolores, supported Captain Newlin and officers of the Mission District.

John Barbie, Liberty Hill Association, commended officers of Mission regarding day labor arrests.

Patrick McDonald, Vice President of Kelly Moore Paint Co., talked of the problems caused to customers, he supported the day labor program but the problems must be addressed. He asked for assistance in the matter and supported police action.

Sue Coats, Golden Gate Heights Neighborhood Association, talked of crime problems and supported police and asked that police department not be reduced because of budget.

Bud Wilson talked of redistricting and manpower shortage.

Helen Nash talked of street cars on Taraval Street and autos not stopping when passengers exit.

Jackie Gordon talked of redistricting and staffing since it took effect.

Pat Howard, reported for No. Mission News, discussed Kelly Moore situation.

Mary Hardin, resident of Bartlett Street/member Mayor's Mission Task Force, asked for police regarding day laborers.

Thereafter, Chief Casey read a letter from Supervisor Jim Gonzales regarding police misconduct regarding day laborers. Chief stated that Management Control or OCC may investigate. He stated that the police department will investigate and if there is any misconduct, it will be brought to the attention of the Commission. Commissioner Craig stated that there are two issues. Problems in the area of the day laborers and the arrest situation. Commissioner Campana suggested a public meeting on how day laborers can be moved from Kelly Moore to day laborer headquarters. Chief Casey stated that Management Control will look into the arrests and he will report back to the Commission with the results. Chief Casey also stated that there will be no covert operations until a hearing is held by the Commission on the matter. Matter was calendared for February 5th for status report of department investigation of day laborer incident and February 26th for public discussion on day laborers.

The meeting, thereafter, was adjourned at 9:30 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6478M

5
2
/92

FEBRUARY 5, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, February 5, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Keker, Lee

APPROVAL OF MINUTES OF MEETING OF DECEMBER 4, 1991

Approval of Minutes of Meeting of December 4, 1991, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 22-92

ALISON WRIGHT vs. CITY AND COUNTY OF SAN FRANCISCO,
et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alison Wright vs. City and County of San Francisco, et al in U.S. District Court No. C89-3390/3724 JPV (Consolidated) for \$120,000.00 for damages sustained, be, and the same is hereby approved.

Date of Incident: September 14, 1988

AYES: Commissioners Campana, Craig, Keker, Lee

DOCUMENTS DEPT.

JUL 20 1992

POLICE COMMISSION REPORT

SAN FRANCISCO
PUBLIC LIBRARY

Commissioner Keker stated that the Commission met in Executive Session to discuss labor negotiation matters and a litigation matter and no action was taken.

a.) MOTION ON CALENDARING OF NEW MATTERS

Commissioner Keker asked that item #12 be called out of order. Ellie Aramburo, OCC, and Peggy Pendergast, Bley and Bley, for Sergeants Gay & Lawson and Officer Ortiz. After discussion matter was scheduled for Saturday, March 21 at 9:00 a.m. for hearing. Commissioner Keker asked that any motions, if any, be calendared at least two meetings before hearing (March 11).

Mr. Jerry Akins, Management Control, asked that the Emily Fields matter be calendared next week, February 12, for decision. Peggy Pendergast, representing Officer Fields agreed and matter was calendared on February 12 for decision.

b.) PUBLIC COMMENTS

Sharon Truskanoff addressed the Commission and complains about the action of officers on February 4th at Silver and San Bruno Streets. She stated that her daughter and friends were assaulted by

students from McAteer High School and that the officers witnessed the assault and did nothing. She stated that she is following up with a complaint against the officers and demands protection for students in the area. Captain Holder responded and stated that he will investigate incident regarding officers and take appropriate action. He further stated that he will work with the students, school and parents and address this problem in the area.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey stated that he had received information regarding budget problems and asked Captain Ribera to brief the Commission on the subject. Captain Ribera stated that the department has been asked to reduce the remaining budget by \$2.9 million. He stated that this would have a devastating effect on police services. Captain Ribera is to report back to the Commission on February 26 about budget recommendations.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Acting Director John Parker briefed the Commission on Assembly Bill 2067 and the impact it would have on their investigations. He asked the Commission to support against the bill. John Crew, ACLU, addressed the subject and Lieutenant Thomas Donahoe, Legal, stated that the city and department have stated their opposition to the bill. Commissioner Kecker asked the department and Mr. Parker to coordinate and draft a letter on behalf of the Commission. After discussion, the matter was calendared for consideration and action next week, February 12th.

John Parker presented the Commission with the year end statistical report. He stated that in 1991 the OCC investigated over 1,200 complaints and at year's end 591 were pending and 80 were forwarded to the department as sustained. He briefed the Commission about staffing problems during that period. Eleven sustained cases were pending with Management Control Division, attorneys awaiting hearings, twenty-one were pending with OCC attorney and the others are to be scheduled for hearings.

PRESENTATION BY OCC ON JUSTIFICATION FOR ADDITIONAL INVESTIGATORS

Put over to April 8th.

OCC STATISTICAL REPORT - INCREASE OF UNNECESSARY FORCE COMPLAINTS

Ms. Irene Rapoza, OCC, presented statistical report and briefed Commission on the contents. She stated the numbers and responded to questions of the Commission. John Crew, ACLU, discussed course for increase of unnecessary force complaints and what is being done about it. He also discussed use of force logs. Chief Casey talked about allegations vs. complaints and stated that use of force logs are being tracked by supervisors and further information will be reported back next week.

STATUS REPORT ON MANAGEMENT CONTROL DIVISION
INVESTIGATION REGARDING POLICE ACTION ON JANUARY 13,
1992 - MISSION DISTRICT

Chief Casey stated that he received the Management Control report late this afternoon and has not had an opportunity to review it. Matter was then put over one week to February 12th.

REVIEW AND ACTION ON EXTENDING INTELLIGENCE POLICY

Commissioner Craig stated that she and Commissioner Campana conducted an audit of Civil Disturbance Section, other sections including Legal and that there are no files of intelligence gathering which fall under guidelines for civil or civil liberty groups. There has been only one request for intelligence gathering and that was denied. She stated that further audits will take place within the next few weeks and will submit a written report as required. Commissioner Campana stated that the department is adhering to the policy very seriously. He indicated that if any intelligence information is gathered it is of criminal nature and not to any organization. Commissioner Keker thanked Commissioners Craig and Campana and reappointed them as the audit committee for another year. Commissioner Craig then thanked the Chief and other members of the department for their cooperation during audit. John Crew asked for independent auditor to be appointed for this task. He also talked of democratic convention files. Commissioner Keker asked City Attorney to contact Mr. Crew regarding same. Rich Dutchler thanked the department for effort on intelligence police.

Ms. Mara Rosales reminded the Commission of the sunset clause in the policy and the Commission unanimously approved to remove the clause. Commissioners to conduct unannounced audits in the future.

RESOLUTION NO. 19-92

REVIEW AND ACTION ON EXTENDING INTELLIGENCE POLICY

WHEREAS, the review and action on extending intelligence policy was called, it having been continued from the meeting of January 29, 1992; and be it

RESOLVED, following a report by Commissioner Craig and Commissioners Campana, Commissioner Keker, President, reappointed Commissioners Campana and Craig to the Audit Committee on Intelligence; and be it further

RESOLVED, Commissioner Keker made a motion to remove the sunset clause in the intelligence policy and the motion was unanimously approved by the Commission.

AYES: commissioners Campana, Craig, Keker, Lee

RESOLUTION NO. 20-92

STATUS REPORT ON CHARGES FILED AGAINST SGT. WILLIAM J. GAY, SGT. MICHAEL LAWSON AND OFFICER STEPHEN ORTIZ

WHEREAS, the status report on the disciplinary charges filed against Sergeant William J. Gay,

Mounted Unit; Sergeant Michael Lawson, Northern Station, and Officer Stephen Ortiz, Southern Station, was called it having been set for this date; therefore be it

RESOLVED, it is the decision of the Commission that the taking of evidence by Commissioner John W. Keker in the charges against Sergeant Gay, Sergeant Lawson and Officer Stephen Ortiz is set for Friday, March 20, 1992 at 9:00 a.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Keker, Lee

HEARING OF OFFICER RONALD M. BARRETT, WARRANT SECTION

The hearing of Police Officer Ronald M. Barrett, Warrant Section, was called it having been set for this date. Officer Barrett was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department and which brings discredit on the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Willis A. Casey, Chief of Police of the San Francisco Police Department.

Officer Ronald M. Barrett appeared in person and was represented by Mr. Stephen Whitmore, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Motion was made by the Defense for a closed hearing but the motion was denied by the Commission.

An opening statement was made by Mr. Jerry Akins for the Prosecution. Mr. Akins announced amendments to paragraph (5) of Specification No. 1. (amendments shown by underscore)

The amendments were unanimously approved by the Commission.

An opening statement was made by Mr. Stephen Whitmore for the Defense. Officer Barrett made a plea of nolo contendere; Mr. Whitmore concurred.

The plea of Officer Barrett was accepted by the Commission.

The following witness was called by the Defense, was sworn and testified:

Dr. Earl Burgess

The Commission took the matter under submission, deliberated and returned, and the following resolution was adopted:

RESOLUTION NO. 21-92

DECISION - HEARING OF OFFICER RONALD M. BARRETT

WHEREAS, on December 31, 1991, Willis A. Casey, Chief of Police of the San Francisco Police

Department, made and served charges against Police Officer Ronald M. Barrett, and

WHEREAS, the Commission having heard the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION NO. 1

- (1) At all times herein mentioned, Ronald M. Barrett, Star Number 103 (hereinafter referred to as "the accused") was and is a police officer employed by the San Francisco Police Department and now assigned to the Warrant Section;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On May 9, 1990, the San Francisco Police Commission, based on a plea of no contest from the accused, sustained allegations of misconduct concerning an incident occurred on October 7, 1989; the accused admitted using his fists to repeatedly strike a female under arrest for driving under the influence of alcohol; the victim had been arrested and was lying on the ground with her hands cuffed behind her back when the accused struck her; and after review of the facts and circumstances of the incident and based on the recommendation of the Chief of Police, the Police Commission suspended the accused for 45 days, ordered the accused to participate in two weeks retraining at the Police Academy and further ordered until after he was evaluated by independent psychological evaluation; he served the suspension from May 12, 1990 through June 27, 1990;
- (4) After the accused returned from the above suspension, he was assigned to a non-public contact assignment in the Operations Center because of the violent nature of the charges arising out of the October 7, 1989 incident; while assigned to the Operations Center, the accused was evaluated by an independent psychologist as ordered by the Police Commission;
- (5) In the course of a meeting with the Police Surgeon, on July 30, 1991, the accused inappropriately displayed his handgun to the Police Surgeon and made inappropriate remarks by questioning whether shooting himself in the foot would result in the accused receiving a disability pension from the City. The Chief of Police held a disciplinary hearing concerning this incident on September 19, 1990, and as a result reprimanded the accused for displaying his weapon and questioning whether shooting threatening to shoot himself in the foot would result in a disability pension, violations of General Order F-1 and General Order D-1 of the San Francisco Police Department; during the hearing, the Chief of Police also ordered a review of the accused's request for reassignment from the Operations Center to patrol duty in the Field Operations Bureau;

- (6) The records and evaluations were reviewed and a recommendation for return to duty with restrictions was forwarded to the Chief of Police on October 19, 1991; the Chief of Police considered the recommendation and agreed that the accused could return to patrol duties with some restrictions; the Chief of Police set an appointment with the Commanding Officer of the Staff Services Division on November 6, 1991 to discuss the return by the accused to street duty and the conditions for his return, namely, that for six months he be closely supervised and that he record all his interactions with the public with a tape recorder while on duty; the accused refused to return to duty with those restrictions and made statements in connection with his refusal which resulted in the accused being reassigned from the Operations Center to the Warrant Section of the Support Services Division;
- (7) On December 12, 1991, at or about 1830 hours, the accused called the Warrant Section by telephone and talked to a Sergeant there regarding the accused's pending transfer to that unit effective on December 14, 1991; during the telephone discussion with the Sergeant, the accused refused to report to the Warrant Section; the accused stated that he did not care and he would be absent without leave; the accused was very upset; during the course of the conversation, the accused threatened to "blow someone's brains out" and hung up the telephone;
- (8) On Friday, December 13, 1991, near 2300 hours, the accused did report for duty at the Warrant Section. During the course of orientation to his duties in the Warrant Section, the accused stated to the officer who was conducting the orientation that he wanted to know where he could put his handgun before it went off and he wound up shooting somebody's head off;
- (9) When the accused made the comment about shooting someone with his handgun, another employee in the Warrant Section overheard a portion of the conversation and became alarmed when told of the threat to shoot an unnamed person's head off; the incident disrupted the operation of the Warrant Section on the first watch for December 14, 1991. The accused was disarmed and his gun was booked property for safe keeping;
- (10) The accused established a history of violence with loss of control and his inappropriate behavior drawing his handgun in connection with his question concerning shooting himself in the foot, which makes his subsequent threat on two occasions, as alleged above, to shoot unidentified people because of his anger concerning transfer to the Warrant Section, conduct which subverts the good order, efficiency and discipline of the department and brings discredit on the department, a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, February 5, 1992, and on February 5, 1992, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the allegations contained in Specification No. 1 as preferred by the Chief of Police against Police Officer Ronald M. Barrett are sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders the following discipline by imposed:

SPECIFICATION NO. 1

Termination

and be it further

RESOLVED, that said termination, effective immediately, be, and the same is hereby affirmed and approved.

AYES: Commissioners Campana, Craig, Keker
NAY: Commissioner Lee

Commissioner Lee then gave a statement regarding his vote.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 8:40 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

5
2
1/92
FEBRUARY 12, 1992

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, February 12, 1992 at 4:45 p.m. in Closed Session.

1. Labor Relations Matter
2. Attorney-Client Conference

Cesar Ascarrunz vs. CCSF

FEBRUARY 12, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, February 12, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Craig, Keker, Lee
ABSENT: Commissioner Campana

APPROVAL OF MINUTES OF MEETING OF DECEMBER 18, 1991

Approval of Minutes of Meeting of December 18, 1991, the Commissioners having received, approved and returned copies of same.

DOCUMENTS DEPT.

APPROVAL OF CONSENT CALENDAR

JUL 20 1992

RESOLUTION NO. 27-92

SAN FRANCISCO
PUBLIC LIBRARY

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO ACCEPT A 1984 GMC PICK-UP TRUCK DONATED BY THE PEPSI CORPORATION FOR USE BY THE PLANNING DIVISION, ESTIMATED VALUE \$1,000

WHEREAS, the San Francisco Police Department is in need of a vehicle to be available for hauling and maintenance assignments; and

WHEREAS, the Pepsi Corporation has generously offered to donate a 1984 GMC S-15 Pick-up Truck, California License No. 3X12905, VIN #1GTCS14S5E2518366, valued at \$1,000.00, to the Police Department's Planning Division; and

WHEREAS, the civil-minded gesture will facilitate needed assistance in the protection of life and property in San Francisco; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the department head of those gifts to the City and County of a value of five thousand (\$5,000.00) dollars or less; and

WHEREAS, it is necessary for a resolution by the Police Commission to authorize the acceptance of such gifts; and

WHEREAS, the truck meets a need for service in the Planning Division; now therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby authorize the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift of a 1984 GMC S-15 Pick-up truck from the Pepsi Corporation to be used by the department's facilities manager for hauling and maintenance assignments.

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 28-92

CESAR ASCARRUNZ vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cesar Ascarruns vs. City and County of San Francisco in Superior Court No. 933-767 for \$70,000.00 for damages sustained, be, and the same is hereby approved.

Date of Incident: June 5, 1991 and continuing

AYES: Commissioners Craig, Keker, Lee
ABSENT: Commissioner Campana

POLICE COMMISSION REPORT

Commissioner Keker stated that the Commission met in executive session and no action was taken.

a.) MOTION ON CALENDARING OF NEW MATTERS

Commissioner Keker called item #13 (Emily Fields) out of order and recalendared it for February 26th for decision.

RESOLUTION NO. 26-92

HEARING ON CHARGES AGAINST OFFICER EMILY R. FIELDS,
LEGAL DIVISION

WHEREAS, the hearing on the disciplinary charges filed against Police Officer Emily R. Fields, Legal Division, was called it having been set for this date; and

WHEREAS, Officer Fields was not present but was represented by Ms. Margaret Pendergast, Attorney at Law; and

WHEREAS, it was requested by the Department that the hearing be continued to February 26, 1992; therefore be it

RESOLVED, the hearing on Officer Emily R. Fields is continued to Wednesday, February 26, 1992, at 5:30 p.m., Room 551, Hall of Justice.

AYES: Commissioners Craig, Keker, Lee
ABSENT: Commissioner Campana

Mr. Jerry Akins, Management Control, called item #12 out of order. Case assigned to Commissioner Lee and matter was put over to March 4th.

RESOLUTION NO. 25-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST
OFFICER EDWARD L. COSTANZI, RECORDS SECTION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Officer Edward L. Costanzi, Records Section, was called it having been set for this date; and

WHEREAS, Commissioner Plus Lee is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Costanzi; therefore be it

RESOLVED, that the setting of date for taking of evidence by Commissioner Lee in the charges against Officer Costanzi is set for Wednesday, March 4, 1992 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Craig, Keker, Lee
ABSENT: Commissioner Campana

b.) PUBLIC COMMENTS

Barbara Brenner, friend of an assault victim, complained of actions and comments by officers regarding Larkin, between Market and Grove Streets. Commander Brush to follow up on matter.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey asked that Item #10 be called out of order. He reported on investigations by Management Control (MCD) regarding police actions of January 13, 1992. He reviewed the investigation and concurred with the findings of the MCD and a Chief's disciplinary hearing will be scheduled. Hearing should be held within six weeks and disposition reported to Commission when rendered. Commissioner Craig discussed department bulletin dated 1/30/92 (92-18) regarding Day Laborers.

Robert Reuben, SF Lawyers Committee, discussed Chief's disciplinary hearing and General Order D-22. He presented proposed changes to the order and Chief Casey stated that the general order will be amended and will be presented to the Commission for adoption. Matter will be calendared at a later date.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Acting Director John Parker deferred report to annual statistical report given by Irene Rapoza. Ms. Rapoza then gave the Commission the report and answered questions regarding the report and discussion followed. Discussion regarding unnecessary force complaints and allegations followed.

PRESENTATION OF OCC BUDGET FOR FISCAL YEAR 1992-1993

John Parker presented OCC Budget. He indicated that a 10% cut would mean cutting personnel. This would result in reducing staff that is already understaffed by four. After discussion, Commission

adopted resolution to send a letter to the Mayor asking not to cut OCC budget where it would result in reducing personnel.

RESOLUTION NO. 23-92

OFFICE OF CITIZEN COMPLAINTS BUDGET FOR FISCAL YEAR 1992-1993

WHEREAS, in 1991, after considerable study by a Task Force which included representatives of the Police Officers' Association, police management, various community groups and people concerned with the functions of the Office of the Citizen Complaints, it was unanimously agreed by the Mayor's Discipline Task Force that in order to be effective at its mission, the Office of Citizen Complaints needed four additional investigators as recommended by the Budget Analyst of the Board of Supervisors in a 1987 Management Audit; and

WHEREAS, the Police Commission has postponed consideration of a resolution supporting that recommendation because of budget considerations; however, it is the Police Commission's belief that the Task Force was correct in deciding that the Office of Citizen Complaints is seriously understaffed and that any cuts reducing personnel would be calamitous to the mission of the Office of Citizen Complaints; therefore, be it

RESOLVED, the Police Commission urges the Budget Analyst, the Board of Supervisors and the Mayor not to take action to require the Office of Citizen Complaints reduce its budget where such action would result in reduction of existing personnel.

AYES: Commissioners Craig, Keker, Lee
ABSENT: Commissioner Campana

PUBLIC DISCUSSION ON CAREER DEVELOPMENT

Calendared on February 26th.

CONSIDERATION AND ACTION REGARDING ASSEMBLY BILL 2067

Sgt. Mike Seybold, Legal Division, presented draft of letter regarding Assembly Bill 2067. Commissioner Craig made a motion, seconded by Commissioner Lee, to oppose AB 2067. Motion was approved. Letter is to be prepared and forwarded to various assemblymen, etc.

RESOLUTION NO. 24-92

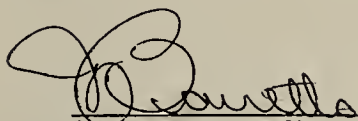
CONSIDERATION AND ACTION REGARDING ASSEMBLY BILL 2067

RESOLVED, that the Police Commission strongly objects to Assembly Bill 2067, and be it further

RESOLVED, a letter will be written to appropriate members of the State Assembly urging a "No" vote on AB 2067, and explaining why the bill should not be enacted into law.

AYES: Commissioners Craig, Keker, Lee
ABSENT: Commissioner Campana

The meeting, thereafter, was adjourned at 6:50
p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/r
W/6533M

5
2
9/92
FEBRUARY 19, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met at William DeAvila School, 1351 Haight Street at 6:00 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Keker
ABSENT: Commissioner Lee

APPROVAL OF MINUTES OF MEETING OF JANUARY 8, 1992

Approval of Minutes of Meeting of January 8, 1992, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 34-92

MOHAMED ALMED ALGAHIM vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that judgment made in Superior Court No. 917-364 in the claim of Mohamed Ahmed Algaahim vs. City and County of San Francisco, et al in the amount of \$16,500 plus cost if applicable, for damages sustained, be, and the same is hereby approved.

AYES: Commissioners Campana, Craig, Keker
ABSENT: Commissioner Lee

DOCUMENTS DEPT.

JUL 20 1992

SAN FRANCISCO
PUBLIC LIBRARY

POLICE COMMISSION REPORT

Commissioner Keker stated that the Commission did not meet in executive session and has nothing to report. He greeted the audience and introduced department and OCC persons who were present.

At this time, Commissioner Campana called item #11 out of order. Matter was put over to March 4th.

RESOLUTION NO. 32-92

SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER CLIFTON A. MATTHEWS, JR., RECORDS SECTION

WHEREAS, the setting of date to conduct taking of evidence by Commissioner Campana in the disciplinary charges filed against Police Officer Clifton A. Matthews, Jr., Records Section, was called it having been set for this date; and

WHEREAS, Mr. Tito Torres, Attorney at Law representing Officer Matthews, has waived the time limitation as set forth in General Order P-11, Section III-K, and the criminal charges on Officer Matthews has not been resolved; therefore be it

RESOLVED, that the setting of date for taking of evidence by Commissioner Campana in the disciplinary charges filed against Officer Matthews is continued to Wednesday, March 4, 1992 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Keker
ABSENT: Commissioner Lee

a.) MOTION ON CALENDARING OF NEW MATTERS

No new matters to calendar.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey deferred report to items #9 and #10.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. John Parker described the office duties and responsibilities of OCC. He also described the complaint procedure. Mr. Parker asked that the verified complaint procedure be calendared for April 8th.

RESOLUTION NO. 33-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST SERGEANT GEORGE C. TOY, WARRANT SECTION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Sergeant George C. Toy, Warrant Section, was called it having been set for this date; and

WHEREAS, it was requested by the Police Commission that the assignment of a Commissioner and setting of date to conduct taking of evidence against Sergeant Toy be continued to March 4, 1992; therefore be it

RESOLVED, that the assignment of a Commissioner and setting of date for taking of evidence in the charges filed against Sergeant Toy is continued to Wednesday March 4, 1992 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Keker
ABSENT: Commissioner Lee

RESOLUTION NO. 29-92

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$2,037,642 FOR EXPECTED SHORTAGE OF \$1,853,642 IN WORKERS' COMPENSATION ACCOUNT AND \$184,000 TO PROVIDE FOR MANDATED HEPATITIS B TESTING AND VACCINATIONS

WHEREAS, the Police Department was instructed to budget the same amount, \$3,798,191, in Fiscal Year 1991-92 which was budgeted in 1990-91; and

WHEREAS, 1990-91 expenditures were \$4,445,471; and

WHEREAS, 1991-92 expenditures are estimated at \$5,651,833; and

WHEREAS, the Police Department has been requested by the Employees' Retirement System to submit a supplemental appropriation in the amount of \$1,853,642 to cover our anticipated workers' compensation deficit; and

WHEREAS, the City and County must provide Hepatitis B screening and vaccinations to certain members of the Police Department; and

WHEREAS, the cost of the Hepatitis B screening and vaccinations is estimated at \$184,000; now, therefore be it

RESOLVED, that the Police Commission hereby approves a supplemental appropriation in the amount of \$2,037,642 so that workers' compensation costs will be funded for the entire 1991-92 Fiscal Year and that mandated Hepatitis B screening and vaccinations may be performed.

AYES: Commissioners Campana, Craig, Keker
ABSENT: Commissioner Lee

PRESENTATION OF THE FISCAL YEAR 1992-93 POLICE DEPARTMENT BUDGET

Captain Ribera presented the budget. Discussion followed regarding impact on services if reduced budget is required. Two budgets were presented, one maintenance budget and a 90% budget. Commissioner Craig inquired about police costs of special events. Motion by Commissioner Campana, seconded by Commissioner Craig to pass resolution adopting the maintenance budget as the minimum and that the 90% budget is inappropriate.

RESOLUTION NO. 31-92

FISCAL YEAR 1992-93 POLICE DEPARTMENT BUDGET

WHEREAS, the Mayor's Office required the Police Department to submit two budgets, (1) a 90% of the 1991-1992 budget and (2) a maintenance level budget; and

WHEREAS, to meet the 90% budget, significant cuts are necessary resulting in reduced service and a reduction in personnel within the Department. The two academy classes scheduled for the next fiscal year would be eliminated and it will be approximately 18 months until other officers could be hired.

WHEREAS, the maintenance budget includes funding for two academy classes in the next fiscal year and an operating budget that accurately reflects anticipated police expenditures so as not to have a negative impact on police services in the city; therefore be it

RESOLVED, that the San Francisco Police Commission supports the maintenance budget and strongly opposes the reduced budget.

AYES: Commissioners Campana, Craig, Keker
ABSENT: Commissioner Lee

CAPTAIN LAWRENCE MINASIAN, COMMANDING OFFICER, PARK STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE PARK DISTRICT

Lt. James Long, Park Station, welcomed audience and briefed the Commission on police activities in the Park District.

PUBLIC COMMENTS

Ramona Albright, Open Space Conservancy, commended department discussed possible police cuts.

Ben Goldstein, resident, discussed letters sent to various officials regarding crime, drug dealings, homeless and problems near Albert Lake.

Mike Assage, talked of drug activity in the 500-700 blocks of Central and 1900 block of McAllister Streets. He discussed of reduced undercover activity and communications problems.

Jim Ratly, complained of drug activity in the 600-700 block of Central and asked for more buy/bust operations.

Scott Slaughterback, resident, commended CPOP officers and officers of Park Station.

Jim Rhodes, Haight St. Advisory Council, discussed advising community groups of neighborhood meetings and stated that the Park and Rec Department should handle people camping in the parks.

Cheryll Wagner, Haight Merchant, talked of coordination of residents and merchants regarding drug problem, thanked Park Station officers.

Sharon Emery, merchant, discussed crime alternative programs, taking drug dealers assets and thanked police for their efforts.

Ed Spivak, resident, discussed drug problems in the area.

Carol Glossinger, President of Cole Valley Assn., talked of problems in the area.

Tim Karako, resident, complained about drug houses.

Robert Sierra, Divisadero Planning Group, commended police regarding response time, thanked Officer Gannon, talked of drug dealing on pay phones, crime in area and suggested crime watch.


Doug Comstock discussed public drunkenness.

After public comments, Commissioner Keker announced his resignation as Commissioner effective immediately. He thanked City Attorney Louise Renne, Deputy City Attorneys Mara Rosales, George Reilly, OCC personnel, police personnel. He suggested reform of police disciplinary system, maintain Chief's goals and develop minorities who could be chief.

Commissioner Craig responded, bidden farewell and read statement. She also stated she intends to resign when the Sgt. Hensic disciplinary case is concluded.

Commissioner Campana then made a statement.

The meeting, thereafter, was adjourned at 8:30 p.m.


Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

92
MARCH 4, 1992

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, March 4, 1992 at 5:15 p.m. in a Special Meeting.

SUPPLEMENTAL APPROPRIATION FOR PRE-EMPLOYMENT
INDUCEMENT FOR ALFREDA D. PORTER

Commissioner Campana described appropriation and purpose of same. Motion was made by Commissioner Campana, seconded by Commissioner Hewlett to approve. The matter was then unanimously approved.

RESOLUTION NO. 52-92

REQUEST FOR SUPPLEMENTAL APPROPRIATION AMOUNTING TO
\$10,000 FOR MOVING EXPENSES FOR DIRECTOR, OFFICE OF
CITIZEN COMPLAINTS

WHEREAS, the Office of Citizen Complaints recently recruited a Director; and

WHEREAS, the Director, Office of Citizen Complaints must relocate from Washington, D.C.; and

WHEREAS, the Office of Citizen Complaints has surplus contractual services funds; and

WHEREAS, the Board of Supervisors must approve all moving expense expenditures; now, therefore be it

RESOLVED, that the Police Commission hereby approves a supplemental appropriation in the amount of \$10,000 so that the relocation expenses of the recently recruited Director, Office of Citizen Complaints may be paid.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

DOCUMENTS DEPT.

JUL 20 1992

MARCH 4, 1992

REGULAR MEETING

SAN FRANCISCO
PUBLIC LIBRARY

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, March 4, 1992, at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

APPROVAL OF MINUTES OF MEETING OF JANUARY 15, 1992

Commissioner Low stated that due to the fact that only one current commissioner was present at the January 15 meeting, the Commission will duly note and receive the minutes and will be a permanent part of the Commission.

Commissioner Low also indicated that this is the first meeting for this Commission and indicated that they look forward to the challenge while serving on the Commission. He also stated that the Commission has agreed to continue to have meetings on Wednesdays and continue to have district meetings once a month.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 48-92

APPROVAL TO ACCEPT AN APPLE COMPUTER DONATED BY HIGH TECH PROPS

WHEREAS, Mr. Steve Gardner of High Tech Props has generously donated an Apple MacIntosh Classic computer, serial #CKK122C98004, to the Police Department, estimated value of \$1,600; be it therefore

RESOLVED, the Police Commission hereby authorizes the Chief of Police to accept the computer for use by the Planning Division.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 49-92

TAXICAB PERMIT APPLICATION OF MAURICE E. RAMSEY

WHEREAS, the San Francisco Police Commission, pursuant to its authority under Article 16 of the Municipal Police Code, appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Maurice E. Ramsey, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Maurice E. Ramsey.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 50-92

GENERAL ORDER A-3, "COMMUNITY POLICE OFFICER PROGRAM"

RESOLVED, that the Police Commission hereby approves General Order A-3, "Community Police Officer Program".

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

Judgment awarded in Superior Court No. 873-643 in settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 51-92

LONNIE ANGEL vs. CITY AND COUNTY OF SAN FRANCISCO,
et al

RESOLVED, that judgment made by the City Attorney for the litigation of Lonnie Angel vs. City and County of San Francisco, et al in Superior Court No. 873-643 in the amount of \$6,043.85 plus \$483 in costs, for damages sustained, be, and the same is hereby approved.

Date of Incident: October 8, 1986

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

Commissioner Low called for nominations for officers of the Commission. Commissioner Detrick nominated Commissioner Low for President, seconded by Commissioner Hewlett. It was approved.

Commissioner Nelson nominated Commissioner Hewlett for Vice President, seconded by Commissioner Detrick. It was approved.

a.) MOTION ON CALENDARING OF NEW MATTERS

No new matters to be calendared.

b.) PUBLIC COMMENTS

Keith McHenry, Food not Bombs, requested return of property including banners and any other property taken from his organization since 1988. He also discussed removal of posters.

Brian Bringardner welcomed new commissioners and requested Commission meetings times be changed to 6:00 p.m. rather than 5:30 p.m.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey welcomed Commission and briefed them on recent report from L.A. Police Department and compared deployment of patrol personnel compared to San Francisco.

The following were called out of order. Commissioner Cloey Hewlett asked that the cases be consolidated for hearing purposes. Matter calendared for March 18th. Commissioner Low indicated that it will be scheduled for a hearing by the full commission.

RESOLUTION NO. 43-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST
SGT. LARRY P. BARSETTI, TENDERLOIN TASK FORCE

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the

disciplinary charges filed against Police Sergeant Larry P. Barsetti, Tenderloin Task Force, was called it having been set for this date, and be it

RESOLVED, it is the decision of the Commission that a status report on the charges against Sergeant Barsetti will be heard on Wednesday, March 18, 1992 at 6:00 p.m. at the Police Commission District Meeting, Richmond Police Station, Community Room, 461 Sixth Avenue.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 44-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER MICHAEL PALADA, CENTRAL STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Michael P. Palada, Central Station, was called it having been set for this date, and be it

RESOLVED, it is the decision of the Commission that a status report on the charges against Officer Palaga will be heard on Wednesday, March 18, 1992 at 6:00 p.m. at the Police Commission District Meeting, Richmond Police Station, Community Room, 461 Sixth Avenue.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 45-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST POLICE OFFICER JAMES LEWIS, POTRERO STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer James Lewis, Potrero Station, was called it having been set for this date, and be it

RESOLVED, it is the decision of the Commission that a status report on the charges against Officer Lewis will be heard on Wednesday, March 18, 1992 at 6:00 p.m. at the Police Commission District Meeting, Richmond Police Station, Community Room, 461 Sixth Avenue.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 46-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER EDWARD M. BROWNE, TENDERLOIN TASK FORCE

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Edward M. Browne, Tenderloin Task Force, was called it having been set for this date, and be it

RESOLVED, it is the decision of the Commission that a status report on the charges against Officer Browne will be heard on Wednesday, March 18, 1992 at 6:00 p.m. at the Police Commission District Meeting, Richmond Police Station, Community Room, 461 Sixth Avenue.

AYES: Commissioners Campana, Detrick Hewlett, Low, Nelson

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. John Parker, OCC, deferred report to calendar item #8.

OCC POLICY RECOMMENDATIONS

Commissioner Low discussed use of baton and portion of recommendation which prohibits throwing of baton regardless of reasons or provocation.

Discussion followed regarding Handicapped access to Police Facilities, General Order F-4 and Crowd Control Procedures. Lt. Pisciotto discussed each recommendation and responded for the department and Commissioner Low inquired about prohibition of throwing baton. After further discussion, the General Order F-4 matter is withdrawn as suggested changes are covered in the training policy.

John Parker stated that since the recommendation was made, the problems have been corrected. Recommendation was then withdrawn.

Chief Casey stated that the department agrees with the recommendation regarding General Order F-4, the order is being changed and it will then come before the Commission for approval.

Crowd Control Procedure, being addressed in the training policy, was also withdrawn.

RESOLUTION NO. 37-92

USE OF BATON

RESOLVED, that the policy recommendation on the "Use of Baton" is hereby withdrawn by OCC inasmuch as the Department is continuing to train officers through in-service training and at entry level into the pros and cons of baton throwing and will prepare a Training Bulletin;

RESOLUTION NO. 38-93

HANDICAPPED ACCESS TO POLICE FACILITIES

RESOLVED, that the policy recommendation on the "Handicapped Access to Police Facilities" is hereby withdrawn by OCC as the Department has provided handicapped access at No. 1 Jones Street;

RESOLUTION NO. 39-92

GENERAL ORDER F-4, USE OF FORCE

RESOLVED, that the policy recommendation on General Order F-4, "Use of Force" is hereby withdrawn by OCC as General Order F-4 is being amended by the Department;

RESOLUTION NO. 40-92

CROWD CONTROL PROCEDURES

RESOLVED, that the policy recommendation on "Crowd Control Procedures" is hereby withdrawn by OCC as the Department will continue to train officers at in-service training and entry level regarding proper techniques to use when a demonstrator uses a cane, chain, etc. on barricades.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

REQUEST OF CAPTAIN THOMAS W. SUTTMEIER, PLANNING DIVISION, FOR APPROVAL TO PURSUE A PROPOSITION J CONTRACT FOR JANITORIAL SERVICES FOR POLICE DEPARTMENT FACILITIES

Captain Suttmeier discussed conditions at the stations and units and briefed the Commission on janitorial services and cost savings. Motion was made by Commissioner Detrick, seconded by Commissioner Hewlett, unanimously approved.

RESOLUTION NO. 35-92

PROPOSITION J CONTRACT FOR JANITORIAL SERVICES AT POLICE DEPARTMENT FACILITIES

RESOLVED, that the request of Captain Thomas W. Suttmeier, Planning Division, for approval to pursue a Proposition J contract for janitorial services at Police Department facilities is hereby approved; and be it further

RESOLVED, it is noted that services performed by a private contractor would save the City approximately \$456,653 annually.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 36-92

REQUEST FOR APPROVAL ON EASEMENT ON THE PROPERTY RECENTLY PURCHASED FOR THE NEW BAYVIEW POLICE STATION

WHEREAS, the Redevelopment Agency has requested an easement on the property recently purchased by the Police Department for the new Bayview Police Station; and

WHEREAS, this easement is necessary to provide a foundation footing and roof canopy to overhang the city owned parcel, and will allow Cala Food, Inc. under a lease from the Redevelopment Agency to operate a supermarket which will serve the Bayview Community; therefore be it

RESOLVED, the Police Commission hereby approves the request of the Redevelopment Agency for easement on the property recently purchased by the Police Department for the new Bayview Station.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION DISCUSSION REGARDING DAY LABORERS
ACTIVITIES

Commander Jim Arnold briefed the Commission regarding present condition at Army and Mission Streets day laborer situation and also the Day Laborer hiring hall sight. He stated that the police department has met with various groups and that traffic enforcement has started in the area. Two beat officers have also been assigned to the area. Commissioner Campana congratulated the efforts of the department.

SPEAKERS:

William Brady read prepared statement and suggested publicity of hiring hall or relocating the hall to a more convenient location for laborers.

Sarah Campos, SF Day Laborers Committee, appreciated efforts of department and talked of attempts to coordinate the Day Labor program.

Pat McDonald, Vice President/Kelly Moore Painting Co., addressed concerns and actions regarding day laborer situation. He thanked the department and the Commission.

PUBLIC DISCUSSION ON CAREER DEVELOPMENT

Captain Mike Hebel presented Career Development Plan and discussed with the Commission.

PRESENTATION BY CAPTAIN MICHAEL HEBEL, SPECIAL
PROJECTS, ON THE COMMUNITY POLICE OFFICERS PROGRAM
(CPOP)

Captain Michael Hebel presented CPOP and its history. Commissioner Low commended the department's efforts in this area.

RESOLUTION NO. 41-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST
OFFICER GREGORY W. BRESLIN, PARK STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Officer Gregory W. Breslin, Park Station, was called it having been set for this date; and be it

RESOLVED, Commissioner Clothilde V. Hewlett is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Breslin and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

RESOLUTION NO. 42-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST
OFFICER JAMES DARRYL JONES, WARRANTS SECTION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Officer James

Darryl Jones, Warrants Section, was called it having been set for this date; and be it

RESOLVED, Commissioner Dorian Peters Nelson is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Jones and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 47-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER ANDREA JOSEPH, MISSION STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Officer Joseph and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

STATUS REPORT ON DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER JAMES P. LASSUS, CENTRAL STATION

Put over one week.

Thereafter, Commissioner Low discussed the disciplinary cases and handling of them. He also talked of general commission business and recommendations for future commission hearings and meetings.

Ms. Mara Rosales then briefed the Commission regarding disciplinary rules and discovery order. Commissioner Low stated that the Commission will review these rules and addressed any questions to the city attorney at a later date.

Ellie Aramburo, OCC, talked of the case of Sergeants Lawson, Gay and Officer Ortiz. She stated that the matter was scheduled for March 20. Commissioner Low will hear motions and decide when matter is to be rescheduled if not heard on March 20th. Decision on motions and assigning of Commissioner calendared for March 11.

The meeting was then adjourned.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

92
MARCH 11, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, March 11, 1992, at 5:30 in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

a.) MOTION ON CALENDARING OF NEW MATTERS

Commissioner Hewlett asked that the status report discipline schedule be calendared in two weeks.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey deferred to item #8 on calendar.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

John Parker, OCC, introduced the January statistical report and asked for calendaring it in two weeks for public discussion. He discussed statistics and responded to Commissioners' questions. Commissioner Campana stated that the new director, Alfreda Porter, will arrive at her new position on March 23.

DOCUMENTS DEPT.

JUL 20 1992

POLICE COMMISSION REPORT

b.) PUBLIC COMMENTS

SAN FRANCISCO
PUBLIC LIBRARY

John Crew, ACLU, discussed discipline system, delays in discipline process and giving adequate resources to OCC to handle backlog. He discussed expediting discipline cases and single commissioner hearings as opposed to full commission hearings. Commissioner Low talked of the new commission's intentions regarding hearing discipline cases, both single commissioner and full commission.

Keith McHenry, Food not Bombs, talked of his complaints at OCC and the lack of sustained cases.

William Brady, MALDEF, discussed the day laborer arrests and read statement.

PRESENTATION OF "SEVEN SHIELDS" AWARD TO THE SAN FRANCISCO POLICE DEPARTMENT BY MR. EDWARD J. PHIPPS, NORTHERN CALIFORNIA CHAIRMAN FOR THE NATIONAL EMPLOYER SUPPORT OF THE GUARD AND RESERVE

Mr. Edward Phipps presented the "Seven Shields" award to department from National Employer Support of the Guard and Reserve.

REQUEST OF THE CHIEF OF POLICE FOR REVOCATION
HEARING ON TAXICAB PERMIT #743 HELD BY EUGENE SUNGA

Officer Farrell Suslow, Permit Section, briefed Commission on permit. Motion by Commissioner Hewlett, seconded by Commissioner Campana. It was unanimously approved.

RESOLUTION NO. 53-92

REVOCATION HEARING ON TAXICAB PERMIT #743 HELD BY
EUGENE SUNGA

WHEREAS, the request of the Chief of Police for a revocation hearing on Taxicab Permit #743 held by Eugene Sunga was called, it having been set for this date; and

WHEREAS, Eugene Sunga is in violation of Municipal Police Code Section 1090a(i) and San Francisco Charter Appendix F, Section 4, in that he has ceases to be a full time driver; and

WHEREAS, all efforts to contact him at his last known address were unsuccessful; therefore be it

RESOLVED, it is the findings and decision of the Commission, based on the evidence presented, that Taxicab Permit #743 issued to Eugene Sunga be revoked.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

PRESENTATION OF 2ND QUARTERLY REPORT ON DEPARTMENT
GOALS

Lt. Ed Pecinovsky, Management Control, presented goals and stated working on discipline schedule.

Lt. Gary Pisciotto, Staff Inspection, discussed inspection of stations and report writing inspections.

Captain Robert Fife, Communications, gave overview of Communications projects dead spots upgrading of equipment, 911 audit update and the remodeling.

Captain Martel, Traffic, discussed citations issued, and new speed trailer recently received by the department and now in use.

Captain Michael Hebel discussed career development and CPOP program. Motion was made by Commissioner Hewlett, seconded by Commissioner Campana to adopt statement of values.

Lt. Anthony Novello briefed Commission on Police Reserve Program.

Captain T. Suttmeier, Planning, updated the Commission on remodeling of police facilities.

Captain J. Robinson, Investigations, briefed Commission on questionnaire and survey mailed to reportees.

Steve Lutes, Planning, discussed statistics, etc.

Captain John Willett, Special Investigations, and Academy Goals are calendared for March 25th.

RESOLUTION NO. 55-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST
SERGEANT WILLIAM LEET, MEDICAL LIAISON

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Sergeant William Leet, Medical Liaison, was called it having been set for this date; and be it

RESOLVED, Commissioner Dorian Peters Nelson is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Sergeant Leet and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

RESOLUTION NO. 56-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST
SERGEANT JOSEPH E. WEATHERMAN, SUPPORT SERVICES

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Sergeant Joseph E. Weatherman, Support Services, was called it having been set for this date; and

WHEREAS, Mr. Stephen Whitmore, Attorney at Law representing Sergeant Weatherman, requested a separate hearing from the other related cases; the motion was denied by the Commission; therefore be it

RESOLVED, Commissioner David C. Detrick is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Sergeant Weatherman and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

RESOLUTION NO. 57-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST
OFFICER MARTIN D. HALLORAN, INGLESIDE STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Officer Martin D. Halloran, Ingleside Station, was called it having been set for this date; therefore be it

RESOLVED, Commissioner David C. Detrick is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Halloran and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

RESOLUTION NO. 58-92

STATUS REPORT ON CHARGES FILED AGAINST OFFICER JAMES
P. LASSUS, CENTRAL STATION

WHEREAS, a status report on the disciplinary charges filed against Police Officer James P. Lassus, Central Station, was called it having been continued from the meeting of March 4, 1992; be it therefore

RESOLVED, a Special Meeting will be held on Friday, May 8, 1992, 9:00 a.m., and Saturday, May 9, 1992, 9:00 a.m. in Room 551, Hall of Justice, for a hearing before a full Commission on the disciplinary charges filed against Officer Lassus; and be it further

RESOLVED, a status report will be heard at the Commission meeting of April 22, 1992.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

The Regular Meeting was adjourned at 8:25 p.m. and was followed by a Closed Session on Attorney-Client Conference regarding Officer for Justice vs. Civil Service Commission, CCSF.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6567M

5
8/92
MARCH 18, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met at Richmond Police Station 461 Sixth Avenue, Community Room, at 6:00 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Hewlett, Low, Nelson
ABSENT: Commissioner Detrick

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 59-92

REVISED GENERAL ORDER F-2, "RESPONSE AND PURSUIT DRIVING"

RESOLVED, that the Police Commission hereby approves revised General Order F-2, "Response and Pursuit Driving".

AYES: Commissioners Campana, Hewlett, Low, Nelson
ABSENT: Commissioner Detrick

POLICE COMMISSION REPORT

Commissioner Low announced that next week there will be a closed session at 4:45 p.m. regarding Consent Decree. He then greeted the audience and discussed department and goals of Commission.

a. MOTION ON CALENDARING OF NEW MATTERS

None.

The following items were called out of order. Attorneys Stephen Bley for Sgt. Barsetti, Attorney Prentice for Off. Palada, Attorney Pendergast for Off. Lewis, and Attorney Whitmore for Off. Browne. Motion for discovery by Mr. Bley was granted by Commissioner Low. Pre-hearing conference was scheduled by Commissioner Low for May 15 at 9:00 a.m. The hearings are scheduled to be heard by the full Commission.

RESOLUTION NO. 60-92

STATUS REPORT ON CHARGES FILED AGAINST SERGEANT LARRY P. BARSETTI, TENDERLOIN TASK FORCE

WHEREAS, a status report on the disciplinary charges filed against Police Sergeant Larry P. Barsetti, Tenderloin Task Force, was called it having been set for this date; and

WHEREAS, a Motion for Discovery was made by Mr. Stephen Bley, Attorney at Law, and the Motion was granted by Commissioner Low; be it therefore

RESOLVED, that the hearing on the charges against Sergeant Barsetti will be heard before a full Commission at a date to be set later.

AYES: Commissioners Campana, Hewlett, Low, Nelson
ABSENT: Commissioner Detrick

DOCUMENTS DEPT.
JUL 20 1992
SAN FRANCISCO
PUBLIC LIBRARY

RESOLUTION NO. 63-92

STATUS REPORT ON CHARGES FILED AGAINST OFFICER
MICHAEL PALADA, CENTRAL STATION

WHEREAS, a status report on the disciplinary charges filed against Police Officer Michael Palada, Central Station, was called it having been set for this date; and

WHEREAS, a Motion for Discovery was made by Mr. Stephen Bley, Attorney at Law, and the Motion was granted by Commissioner Low; be it therefore

RESOLVED, that the hearing on the charges against Officer Palada will be heard before a full Commission at a date to be set later.

AYES: Commissioners Campana, Hewlett, Low, Nelson
ABSENT: Commissioner Detrick

RESOLUTION NO. 61-92

STATUS REPORT ON CHARGES FILED AGAINST OFFICER JAMES
LEWIS, POTRERO STATION

WHEREAS, a status report on the disciplinary charges filed against Police Officer James Lewis, Potrero Station, was called it having been set for this date; and

WHEREAS, a Motion for Discovery was made by Mr. Stephen Bley, Attorney at Law, and the Motion was granted by Commissioner Low; be it therefore

RESOLVED, that the hearing on the charges against Officer Lewis will be heard before a full Commission at a date to be set later.

AYES: Commissioners Campana, Hewlett, Low, Nelson
ABSENT: Commissioner Detrick

RESOLUTION NO. 62-92

STATUS REPORT ON CHARGES FILED AGAINST OFFICER
EDWARD M. BROWNE, TENDERLOIN TASK FORCE

WHEREAS, a status report on the disciplinary charges filed against Police Officer Edward M. Browne, Tenderloin Task Force, was called it having been set for this date; and

WHEREAS, a Motion for Discovery was made by Mr. Stephen Bley, Attorney at Law, and the Motion was granted by Commissioner Low; be it therefore

RESOLVED, that the hearing on the charges against Officer Browne will be heard before a full Commission at a date to be set later.

AYES: Commissioners Campana, Hewlett, Low, Nelson
ABSENT: Commissioner Detrick

Ms. Elie Aramburo, OCC then discussed matter of Sergeants Gay and Lawson and Officer Ortiz. She asked the March 20 date of hearing be vacated. Commissioner Low assigned the case to himself.

Brian Bringardner asked that the case be assigned to the full Commission and Commissioner Low denied request. Hearing was then set for Friday, May 22 at 9:00 a.m.

Officer Emily Fields matter calendared on April 8 for decision, Officer Rios scheduled for April 1st, Officer Wronski assigned to Commissioner Detrick, Officer Costanzi assigned to Commissioner Nelson, Officer Toy assigned to Commissioner Hewlett.

Commissioner Low stated that he will hear and rule on all motions of cases presently assigned.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey deferred any report to Captain Winters report.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. John Parker briefed audience on duties and responsibilities of the OCC.

CAPTAIN GREGORY WINTERS, COMMANDING OFFICER, RICHMOND STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE RICHMOND DISTRICT

Captain Winters briefed audience and Commission on the Richmond District police activities and problems. He discussed gang activity in the district and problems at Washington High School. He also talked of other actions of members of the station in dealing with problems in the district.

PUBLIC COMMENTS

Josanna Bertino, burglary and purse snatch victim, talked of crime and dirty streets area of Funston-Clement & California Streets.

Tom Fields, Community Police Forum, welcomes Commission and discussed community meetings, youth court, crime and recent homicides in the district. He talked of manpower vs. redistricting and CPOP program.

Edith McMillan, talked of accessibility to handicapped parking and curb cut outs for wheelchairs. Need for more officers.

Gene Mayo, Lower Pacific Heights Assn., complimented Captain Winters and stated need for more officers.

Paul Von Bereldingon, commended Officers Jill Connolly, Laura Brophy and talked of crime in the district. Asked for more officers.

Chief Casey then commended Captain Winters and the personnel of Richmond Station for the fine work.

The meeting, thereafter, was adjourned at 7:50 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

5
2
5/92
MARCH 25, 1992

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, March 25, 1992 at 4:45 p.m. in Closed Session.

Attorney-Client Conference

Officers for Justice vs. Civil Service
Commission, CCSF

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

MARCH 25, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, hall of Justice, 850 Bryant Street on Wednesday, March 25, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

APPROVAL OF CONSENT CALENDAR

Commissioner Hewlett discussed Use of Force Order regarding force not resulting in injury. After discussion, the general order was approved.

RESOLUTION NO. 67-92

REVISED GENERAL ORDER F-4, "USE OF FORCE"

RESOLVED, that the Police Commission hereby approves revised General Order F-4, "Use of Force".

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

RESOLUTION NO. 68-92

APPROVAL TO ACCEPT A DONATION OF A 1973 PLYMOUTH
DONATED BY RETIRED SGT. JAMES STRONG

WHEREAS, the San Francisco Police Department is in need of a vehicle for the Accounting Office; and

WHEREAS, Mr. James Strong, a retired San Francisco Police Sergeant, has generously offered to donate a 1973 Plymouth, California license No. 727GFR, valued at \$1,800.00 to the Police Department's Accounting Office; and

WHEREAS, this civic-minded gesture will facilitate needed assistance in the protection of life and property in San Francisco; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the Department head of those gifts to the City and County of a value of Five Thousand (\$5,000.00) Dollars or less; and

WHEREAS, it is necessary for a resolution by the Police Commission to authorize the acceptance of such gifts; and

DOCUMENTS DEPT.
JUL 20 1992
SAN FRANCISCO
PUBLIC LIBRARY

WHEREAS, the car meets a need for service in the Accounting Office; therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift of a 1973 Plymouth from Mr. James Strong to be used by the Officer in Charge of the Police Department's Accounting Office.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

Commissioner Low stated that the Commission met in closed session with City Attorney regarding Officers for Justice vs. City and County.

He then discussed request of Ronald Barrett for rehearing. City Attorney Mara Rosales advised that the Commission has no jurisdiction for rehearing and the request for rehearing is denied.

Al Trigueiro, President of POA, asked for clarification by City Attorney.

RESOLUTION NO. 64-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER VINCENT J. VAGO, PARK STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Officer Vincent J. Vago, Park Station, was called it having been continued from the meeting of January 29, 1992; be it therefore

RESOLVED, Commissioner Harry W. Low is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Vago, and be it further

RESOLVED, that a status report on the charges filed against Officer Vago is set for Wednesday, April 29, 1992 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

At this time, Commissioner Low welcomes Alfreda Porter, the newly appointed Director of Office of Citizen Complaints.

PUBLIC COMMENTS

Frank Winston, Mid Market UN Plaza Assn., talked about Tenderloin Task Force and crime in the Tenderloin area. He asked for more undercover officers and discussed district attorney's actions of arrests made in that area. He also talked of prostitution in the Geary Street area. He thanked the officers for their efforts.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey presented schedule of discipline for review by the Commission. A short discussion followed and the matter was put over one week for further discussion.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Commissioner Low welcomed Alfreda Porter. Ms. Porter asked that item #8 be recalendared one week for review. She also talked of proposal of Supervisor Willie Kennedy regarding elected citizens review board in lieu of OCC. She asked the Commission to meet with Supervisor Kennedy for discussion.

REVIEW OF OCC STAFF ATTORNEY POSITION

Recalendared for April 29.

PUBLIC DISCUSSION ON OCC STATISTICAL REPORT

Ms. Irene Rapoza, OCC, presented January 1992 statistical report.

RESOLUTION NO. 65-92

SALE AND TRANSFER OF PATROL SPECIAL BEATS #39 and #45 FROM PATROL SPECIAL OFFICER GEORGE M. COWHIG TO PATROL SPECIAL OFFICER CALVIN C. WILEY

WHEREAS, Patrol Special Officer George M. Cowhig requested permission to sell and transfer Patrol Special Beat Nos. 39 and 45 to Patrol Special Officer Calvin C. Wiley; and

WHEREAS, Patrol Special Officers George M. Cowhig and Calvin C. Wiley have entered in an agreement for the sale and transfer of Beats 39 and 45; and

WHEREAS, all requirements of Rule 1.53 of the current Rules and Procedures of Patrol Special Officers have been met; now, therefore be it

RESOLVED, that ownership of Patrol Special Beats 39 and 45 are transferred from George M. Cowhig to Calvin C. Wiley.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

TRANSFER OF PATROL SPECIAL BEAT 55 FROM PATROL SPECIAL OFFICER CALVIN C. WILEY TO LISA MARIE WILEY AND THAT LISA MARIE WILEY BE APPOINTED A PATROL SPECIAL OFFICER

Commissioner Campana discussed lack of experience and the practices and the problems with the rules regarding Patrol Specials. After further discussion, the matter was then approved.

RESOLUTION NO. 66-92

WHEREAS, Patrol Special Officer Calvin C. Wiley requested permission to sell and transfer Patrol Special Beat No. 55 to Lisa Marie Wiley; and

WHEREAS, Patrol Special Officer Calvin C. Wiley and Lisa Marie Wiley have entered in an agreement for the transfer of Beat 55; and

WHEREAS, all requirements of Rule 1.53 of the current Rules and Procedures of Patrol Special Officers have been met; now, therefore be it

RESOLVED, that ownership of Patrol Special Beat No. 55 is transferred from Calvin C. Wiley to Lisa Marie Wiley and that Lisa Marie Wiley be appointed a Patrol Special Officer.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

STATUS OF HIBERNIA BANK BUILDING AND TENDERLOIN TASK FORCE, 1 JONES STREET

Chief Casey gave the history of Hibernia Bank move. He talked of renegotiating the purchase price of the bank and move the Southern Station to the Tenderloin area.

Commissioner Low discussed prosecution by District Attorney's Office of Tenderloin arrests. Chief Casey stated that he will meet with the D.A. for discussion. Commissioner Low suggested that the presiding Judge and Sheriff should attend.

QUARTERLY REPORT ON DEPARTMENT GOALS

a.) HATE CRIMES

Officer Sandy Bargioni discussed hate crimes and talked of training conference to be held in June. San Francisco Hate Crimes Unit is being used as a model for the state.

b.) TRAINING

Captain Berry discussed training and education programs and schedules. Commissioner Low talked of trends for future training and Chief Casey advised Commission of members attending command college. Commissioner Campana discussed testing and preparation for promotionals.

At this time, the matter regarding Officer Emily Fields was scheduled for April 8th.

The meeting, thereafter, was adjourned at 7:40 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

SEP 14 1992

SAN FRANCISCO
PUBLIC LIBRARYAPRIL 1, 1992CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, April 1, 1992 at 4:30 p.m. in Closed Session.

Personnel Matter

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

APRIL 1, 1992REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, April 1, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 70-92

APPROVAL TO ACCEPT A DONATION OF A 1966
INTERNATIONAL HARVESTER VAN TYPE TRUCK BY THE SECRET
SERVICE TO THE POLICE RANGE ESTIMATED VALUE OF \$3,000

WHEREAS, the Secret Service has generously donated to the SFPD Range a 1966 International Harvester van type truck, VIN #55109L011239 P/N: 6199, estimated value of \$3,000; and

WHEREAS, this van could be utilized at the Range for carrying of supplies, etc.; therefore be it

RESOLVED, the Police Commission hereby authorizes the Chief of Police to accept the van for use by the SFPD Range.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORTa.) MOTION ON CALENDARING OF NEW MATTERS

None.

Commissioner Low stated that the Commission met in Closed Session and discussed appointment of Chief and discussed with Richard Hongisto, his background record of employment management style and responsibilities of the Police Commission. Commissioner Low also talked of other concerns and discussed them with Chief Hongisto including questions regarding his personal life. Commissioner Low then complimented Chief Casey for his achievements during his career. The Commission thanked him and wished him well during his earned retirement.

Commissioner Campana addressed some of the accomplishments of Chief Casey and reviewed some of those deeds. These included complaint procedures, the Tenderloin Task Force and the discipline process. He thanked Chief Casey and wished him good luck.

Commissioner Low and the other Commissioners asked that a letter be sent to Chief Casey expressing their thanks and wishes and appreciation for his service to the department during his career.

Commissioner Low stated that the Commission has received the nomination of Richard Hongisto as Chief of Police. Commissioner Hewlett made a motion to confirm Richard Hongisto as Chief, seconded by Commissioner Detrick.

b.) PUBLIC COMMENTS

The following citizens supports the appointment of Chief Richard Hongisto:

Joseph Freitas	Frank Winston
Carol Ruth Silver	Al Analett
John Wahl	Angelo Quaranto
Ed MacNamara	Hadie Redd
Lawrence Wong	Bob Basker
Maria Martlnez	John Barbie
John Bardis	Dan Addario
Roger Cardenas	Officer Rose Melendez
Jean Harris	Kent Berry
Stew Smith	Keith Fines
Pastor Wilburn	Lt. Connie O'Connor
Kay Sennin	

Inspector Phil Dito, POA, commended Chief Casey and stated they are looking forward to work with Chief Hongisto.

Sgt. Joe Williams, OFJ, asked Commission to confirm Chief Hongisto.

Commissioner Campana commented regarding selection process and personal concerns. Commissioner Nelson stated that there are numerous officers in the department who she feels qualified to be chief.

After discussion, the Commission voted and confirmed the nomination of Richard Hongisto as Chief of Police.

Discipline schedule was calendared for April 15.

CHIEF'S REPORT TO THE POLICE COMMISSION

None.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Ms. Porter stated that there is no report for this meeting.

FURTHER PUBLIC COMMENTS:

George Williams, Senior Action Network (SAN), commented Captain Fife and discussed concerns of Communications Section, janitorial service, lighting and ventilation. He also talked of number of bilingual employees, staffing and upgrade of equipment.

Frank Martin del Campo, Local 790, recognizes Joan Madden and Donna Walker, dispatchers who talked of conditions in Communications Section. They asked for the expedition of training and background checks for new dispatchers.

Wallace Levin asked Commissioners to visit Communicaitions and observe said conditions. Commissioner Low then thanks the SAN for their efforts.

APPEAL OF THE CHIEF'S SUSPENSION IMPOSED ON POLICE OFFICER DAVID RIOS, HEADQUARTERS COMPANY

The decision on the appeal of the Chief's suspension imposed on Police Officer David Rios, Headquarters Company, was called it having been set for this date.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer David Rios appeared in person and was represented by Ms. Margaret Pendergast, Attorney at Law.

Mr. Jerry Akins made an opening statement for the Prosecution.

The following witness appeared for the Prosecution, was sworn and testified:

Sergeant Ed Callejas, Headquarters Company

Closing statements were made by both Mr. Jerry Akins and Ms. Margaret Pendergast.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 69-92

DECISION - HEARING ON THE APPEAL OF THE CHIEF'S SUSPENSION IMPOSED ON POLICE OFFICER DAVID RIOS, HEADQUARTERS COMPANY

WHEREAS, a hearing on said appeal was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 1, 1992, and the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the Chief's suspension imposed on Police Officer David Rios, Headquarters Company, was sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that it is the findings and decision of the Commission that the Chief's suspension of one (1) day and transfer from present assignment imposed on Police Officer David Rios be, and the same is hereby sustained.

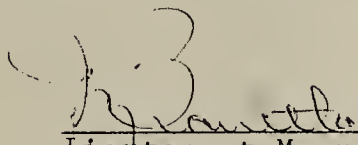
AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

Recess taken during the hearing on the appeal of Chief's suspension of Police Officer David Rios:

8:00 p.m. to 8:10 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 8:13
p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6606M

APRIL 8, 1992

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, April 8, 1992 at 5:00 p.m. in Closed Session.

Attorney-Client Conference
Patrol Special Officers vs. CCSF

APRIL 8, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, April 8, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

a. MOTION ON CALENDARING OF NEW MATTERS

Commissioner Hewlett asked that the Crowd Control Policy be calendared for April 29th.

RESOLUTION NO. 74-92

APPOINTMENT OF POLICE COMMISSION SECRETARY

RESOLVED, the Police Commission hereby approves the appointment of Lieutenant Manuel Barretta as the Police Commission Secretary.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 73-92

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER STEVEN R. SHANAHAN, CENTRAL STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges against Police Officer Steven R. Shanahan, Central Station, was called it having been set for this date; therefore be it

RESOLVED, Commissioner Edward Campana is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Officer Shanahan and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Hongisto stated that he has visited stations, patrolled at night, reviewing crime levels in the street and discussing issues with department personnel. He stated that he is developing responses to problem areas in the city. He is putting additional officers in the Tenderloin Area.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Ms. Alfreda Porter, OCC Director, reported that the OCC has taken numerous steps to explore options to improve service delivery. Completed caseload audit identifying missing data, which will hopefully reduce the caseload in the upcoming year. Exploring staff realignment options, developing goals for the first quarter of the new fiscal year to hopefully reduce pending caseload. She asked that item #8 be calendared at a later date. Item #8 was then recalendared for May 6th.

Commissioner Low discussed additional investigators as they relate to the budget. Ms. Irene Rapoza then presented the February statistics.

PRESENTATION BY OCC ON JUSTIFICATION FOR ADDITIONAL INVESTIGATORS

Recalendared for May 6th.

PUBLIC HEARING ON PROCEDURE FOR POLICE COMMISSION HEARING OF A DISCIPLINARY CASE WHERE THE CHIEF OF POLICE AND OCC DIRECTOR DISAGREE ON WHETHER DISCIPLINARY ACTION IS APPROPRIATE

Taken off the calendar and to be rescheduled.

RESOLUTION NO. 71-92

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$6,220,350 FOR POLICE BUILDING FACILITIES PROJECT

WHEREAS, bonds have been sold for the renovation of various Police Department facilities; and

WHEREAS, the bond funds have not been appropriated to renovate the various Police Department facilities; and

WHEREAS, it is necessary to appropriate the bond funds, in order to expend the funds; now therefore be it

RESOLVED, that the Police Commission hereby approves a supplemental appropriation in the amount of \$6,220,350 which will appropriate the proceeds from previous sold bonds, so that various Police Department facilities may be renovated.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

PUBLIC COMMENTS

Sharon Baskin, Commissioner of SF Youth Court, discussed the youth court.

Brian Bringardner discussed appointment of Commission Secretary.

John Crew, ACLU, talked about the disciplinary schedule calendared for next week. Commissioner Low stated that is scheduled for further discussion. It will be presented next week to the Commission and calendared later for approval.

RESOLUTION NO. 72-92

HEARING OF POLICE OFFICER EMILY FIELDS, LEGAL
DIVISION

WHEREAS, on October 30, 1991, Willis A. Casey, Chief of Police, made and served charges against Police Officer Emily Fields, Legal Division, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to answer questions truthfully and without evasion (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department).

and

WHEREAS, the Police Commission set Wednesday, April 8, 1992, as the date for the hearing on charges filed against Officer Emily Fields; and

WHEREAS, Chief of Police Richard Hongisto announced that the Police Department was in receipt of the resignation of Officer Emily Fields from the San Francisco Police Department, said resignation effective April 8, 1992, and

WHEREAS, said resignation was accepted with the condition that the services of Officer Emily Fields have been unsatisfactory and that she does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Emily Fields, be, and the same are hereby continued off calendar.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

The meeting, thereafter, was adjourned at 6:30

p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6619M

APRIL 15, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, April 15, 1992, at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Detrick, Hewlett, Low
ABSENT: Commissioners Campana, Nelson

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 75-92

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL ON
IMMEDIATE FILLING OF VACATED POSITION 0390 CHIEF OF
POLICE

WHEREAS, one 0390 Chief of Police position has become vacant from the San Francisco Police Department, and

WHEREAS, the vacancy, due to service retirement, leaves a severe gap in the upper management of the San Francisco Police Department, and

WHEREAS, to permanently fill the position before the accumulated sick leave and vacation time have been paid requires a resolution of the Board of Supervisors, and

WHEREAS, the procedure is authorized by the Annual Appropriation Ordinance, Section 10, Subsection 1, and

WHEREAS, without the approval of the Board of Supervisors, this position could not be filled permanently until December 16, 1992 and,1

WHEREAS, there are sufficient funds appropriated to cover the cost of this procedure; therefore be it

RESOLVED, that the Police Commission does hereby request that the Mayor and the General Manager Personnel of Civil Service recommend to the Board of Supervisors the adoption of the attached resolution and be it further

RESOLVED, that the Police Commission requests that the Board of Supervisors adopt the attached resolution authorizing the immediate filling of the vacated position of 0390 Chief of Police.

AYES: Commissioners Detrick, Hewlett, Low
ABSENT: Commissioners Campana, Nelson

RESOLUTION NO. 76-92

REQUEST OF OFFICER MICHAEL ANDROVICH, INGLESIDE
STATION, FOR PERMISSION TO USE HIS PERSONAL SMITH
AND WESSON 357 MAG. AS HIS PRIMARY DUTY WEAPON

RESOLVED, that the Police Commission hereby approves the request of Officer Michael Androvich, Ingleside Station, for permission to use his personal Smith & Wesson 357 MAG. as his primary duty weapon.

AYES: Commissioners Detrick, Hewlett, Low
ABSENT: Commissioners Campana, Nelson

RESOLUTION NO. 77-92

APPROVAL TO ACCEPT A DONATION OF AN UZI
SEMI-AUTOMATIC FIREARM FROM MR. TONY LEE FOR USE BY
THE HEADQUARTERS COMPANY, ARSENAL SECTION

WHEREAS, Mr. Tony Lee has generously donated an UZI Semi-Automatic Firearm, Serial Number SA 51516; and

WHEREAS, Captain Thomas Petrini, Central Station, requests that this firearm be utilized by the Headquarters Company, Arsenal Section; therefore be it

RESOLVED, the Police Commission hereby authorizes the Chief of Police to accept this donation and assign it to Headquarters Company, Arsenal Section.

AYES: Commissioners Detrick, Hewlett, Low
ABSENT: Commissioners Campana, Nelson

POLICE COMMISSION REPORT

Commissioner Low discussed district meeting for April 22 in the Potrero District. He asked Commission Secretary to send letter to District Attorney Arlo Smith inviting him or a member of his top staff to attend the district meeting.

a. MOTION ON CALENDARING OF NEW MATTERS

Commissioner Hewlett asked that Community Policing be calendared for May 6th.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Hongisto discussed night patrol by him and efforts in the Tenderloin regarding narcotics arrests. He stated that the department is focusing on Dolores Park complaints and prostitution in the Geary Street area. Commissioner Low talked of cooperation with the district attorney's office to prosecute after arrest are made.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Alfreda Porter discussed Board of Supervisors Resolution No. 276-92 urging the Mayor to urge the Police Commission and OCC to investigate conduct of police at Silver and San Bruno Avenues on February 4, 1992. She stated that investigation is on-going and should be concluded about three weeks. She also talked of the Memorandum of Understanding (MOU) presently being negotiated and the report of the Mayor's Discipline Task Force not having been incorporated in the talks, specifically the Openness issue. City Attorney is to review and advise Commission at a later date.

Ms. Jill Tregor, CUAV, stated that the Board of Supervisors will meet Monday regarding negotiations of the MOU and suggested that a Commissioner or member of the OCC attend.

POLICE COMMISSION DISCUSSION AND CONSIDERATION FOR
ADOPTING THE PC&N HEARING OFFICERS FINDINGS OF FACT
AND SETTING OF DATE TO TAKE ACTION ON PUBLIC
CONVENIENCE AND NECESSITY TAXICAB PERMITS

Captain Hebel and Officer Suslow briefed the Commission on procedure of PC&N hearing officer's findings. Setting of date and action regarding PC&N is calendared for May 27th.

DISCUSSION REGARDING PROPOSAL ON DISCIPLINARY
JURISDICTION AND PENALTY SCHEDULE

Lt. Ed Pecinosky presented discipline schedule. Chief Hongisto suggested further review with the Commission prior to calendaring for public discussion. Matter was then calendared for further review and discussion on May 6th.

Jill Tregor commented on discipline suggestions and Chief Hongisto suggested a meeting.

PUBLIC COMMENTS

John O'Brien greeted Commission and presented material regarding homeless and informed the Commission of the Homeless Task Force conference on May 8th.

Virginia Conway discussed AIDS and tuberculosis problems and suggested testing.

The meeting, thereafter, was adjourned at 7:15 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6622M



APRIL 22, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in Martin Luther King, Jr. Middle School Auditorium at 350 Girard Street at 6:00 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

APPROVAL OF MINUTES OF MEETING OF MARCH 4, 1992

Approval of Minutes of Meeting of March 4, 1992, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 79-92

APPROVAL TO ACCEPT A DONATION OF TWO (2) LOANED VEHICLES FOR A PERIOD OF 120 DAYS, FREE OF CHARGE, VALUED AT \$4,500.00 FROM MS. MARIE BROOKS, ELLIS BROOKS CHEVROLET, TO BE USED BY THE HOMICIDE SECTION

WHEREAS, the Homicide Section of the San Francisco Police Department is in need of two vehicles for various investigative functions; and

WHEREAS, Ms. Marie Brooks, owner of Ellis Brooks Chevrolet and President of the Downtown Association, has generously offered the gift of lending two vehicles, intending use by the Homicide Section, for a period of 120 days; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the Department head of those gifts to the City and County of a value of five thousand (\$5,000.00) Dollars or less; now, therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby grants to the Homicide Section the authority to accept the gift of two loaned vehicles for a period of 120 days, valued at \$4,500.00, from Ms. Marie Brooks.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

Commissioner Campana asked the Management Control to set dates for Officers Escobar and Shanahan conferences within next week and report back to the Commission.

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER RAYMOND A. BEAZLEY, FIELD OPERATIONS BUREAU, POTRERO STATION

Put over next week.



RESOLUTION NO. 78-92

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE DISCIPLINARY
CHARGES FILED AGAINST PATROL SPECIAL OFFICER STEVEN
RUSSO

WHEREAS, the assignment of a Commissioner and Setting of date to conduct taking of evidence in the disciplinary charges filed against Patrol Special Officer Steven Russo, FOB/Park Station, was called it having been set for this date; and

WHEREAS, Commission Cloey Hewlett is assigned to conduct taking of evidence in the disciplinary charges filed against PSO Russo; and

WHEREAS, Commissioner Hewlett set a date for a conference in the disciplinary charges filed against PSO Russo on May 19, 1992 at 11:30 a.m.; and be it

RESOLVED, that the conference in the disciplinary charges filed against PSO Russo is set on Tuesday, May 19, 1992 at 11:30 a.m. in Room 505-2, Hall of Justice; and be it further

RESOLVED, that Commissioner Hewlett is hereby assigned to conduct taking of evidence in the disciplinary charges filed against PSO Russo and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 80-92

STATUS REPORT ON CHARGES FILED AGAINST POLICE
OFFICER JAMES P. LASSUS, CENTRAL STATION

WHEREAS, a status report on the disciplinary charges filed against Police Officer James P. Lassus, Central Station, was called it having been continued from March 11, 1992; be it therefore

RESOLVED, a conference will be held on April 29, 1992 at 4:30 p.m. in Room 505-2, Hall of Justice, before a full Commission on the disciplinary charges filed against Officer Lassus.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Hongisto advised the Commission of two shootings regarding gangs. Gang Task Force is investigating. He also stated that he is working on the budget first round cuts and there will be no cuts in service. He stated that the department is looking for an alternative sight for Hibernia Bank building unless Hibernia donates the building to the city. He also has been looking at the problem areas, Tenderloin and Dolores Park areas.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Alfreda Porter, OCC, stated that she is working to complete the management report and addressed the audience regarding OCC responsibilities and duties.

CAPTAIN RICHARD HOLDER, COMMANDING OFFICER, POTRERO
STATION, TO ADDRESS THE COMMISSION ON POLICE
ACTIVITIES IN THE POTRERO DISTRICT

Captain Holder greeted audience and thanked them for attending the meeting. He talked of the CPOP (Community Police on Patrol) program, introduced Sgt. Frank Lee who briefed the audience regarding CPOP program and introduced the other CPOP officers.

PUBLIC COMMENTS

Dr. Frank Clausen, resident of Potrero Hill, supported and congratulated Chief Hongisto and discussed the need for more officers and funding for the department, suggested of upgrading Potrero Station and asked for clarification regarding sanctuary law.

Vincent Chow, Principal of Visitacion Valley School, address the Commission.

Calvin Davis, ROSES, complimented Captain Holder and officers. Talked about the drug problem and shootings at Keith and Thomas and Cashmere areas.

Luise Nutra, St. Elizabeth's Church/San Bruno Merchants, complimented Captain Holder.

Mr. Ma, Visitacion Valley Asian Assn., discussed crime in the Visitacion Valley area and stated that more police are needed.

Dick Mallet, President Potrero Hill Neighborhood Assn., complimented Captain Holder and officers. Commended CPOP program.

Joel Tate, Visitacion Valley Community Group, discussed the need of more officers.

Charles Dickes, Sr. complimented Captain Holder and talked of problems in area of Keith and Revere, Jennings and Thomas.

Mike Tshimoto, New Hunters Point Homeowners Assn., talked of crime problem at Cashmere and Hudson Streets.

Jan Brown, ROSES, complimented Captain Holder and CPOP officers and talked of need for more officers and problems with communications.

Jim Dunn talked of drug dealing and suggested arresting buyers of drugs.

Sam Wong, Pastor Chinese Baptist Mission, discussed bilingual officers and bilingual pay for the officers. He stated that only 1/3 of the crime against Chinese are being reported.

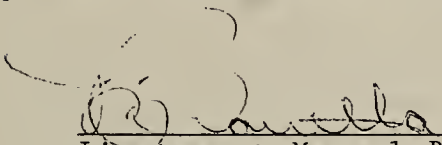
Boyd Hamilton, resident, talked of drug and crime problems in the area of his residence. He talked of "Drug Free Zone" signs and suggested a curfew in "Hot" spots.

Julia Viera, resident, discussed crime problems in the area and discussed supporting the PAL program.

Ray Boldini, Brussels Street resident, commended CPOP.

Unidentified asked for the Commission to support the police.

The meeting, thereafter, was adjourned at 9:00 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6625M

APRIL 29, 1992

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, April 29, 1992 at 5:15 p.m. in Closed Session.

Attorney-Client Conference

Bay Area Rentals vs. CCSF, et al

APRIL 29, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, April 29, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

APPROVAL OF MINUTES OF MEETING OF MARCH 11, 1992

Approval of Minutes of Meeting of March 11, 1992, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 84-92

APPROVAL TO ACCEPT A DONATION OF TWO (2) AUTOMOBILES FROM MR. ROBERT JACOBS, SAN FRANCISCO TAXICAB ASSOCIATION, FOR USE BY THE POLICE DEPARTMENT'S TAXI DETAIL

WHEREAS, the Taxi Detail of the Police Department is in need of vehicles to carry out their duties with respect to regulation of Taxi Permits; and

WHEREAS, the San Francisco Taxicab Association has generously offered to donate two (2) vehicles valued at a total of Three Thousand (\$3,000.00) Dollars; and

WHEREAS, this civic minded gesture will enable the Police Department to more effectively serve the citizens of San Francisco; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the Department head of those gifts to the City and County of San Francisco of a value of Five Thousand (\$5,000.00) Dollars or less; and

WHEREAS, it is necessary for a resolution by the Police Commission to authorize the acceptance of such gifts; now, therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift of two (2) vehicles from the San Francisco Taxicab Association for use of the Police Department's Taxi Detail.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

RESOLUTION NO. 85-92

APPROVAL TO ACCEPT A DONATION OF A LASAR RADAR GUN
FROM MR. JAMES ALBERTINI OF GEICO INSURANCE VALUED
AT \$3,800.00 FOR USE BY THE TRAFFIC DEPARTMENT

WHEREAS, Mr. James Albertini of Geico Insurance
has generously donated a lasar radar gun, model LTI
20-20 valued at \$3,800.00; and

WHEREAS, this lasar unit will be a valuable
asset to the Traffic Company and the Department;
therefore be it

RESOLVED, that the Police Commission hereby
authorizes the Chief of Police to accept this
donation.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

Recommendation of the City Attorney for
settlement of the following claim against the City
and County of San Francisco:

RESOLUTION NO. 86-92

BAY AREA RENTALS vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City
Attorney for the settlement of the Unlitigated Claim
No. 91-03791 of Bay Area Rentals vs. CCSF in the
amount of \$5,350.29 for damages sustained, be, and
the same is hereby approved.

Date of Incident: February 15, 1992

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

POLICE COMMISSION REPORT

Commissioner Low stated that he and Commissioner
Detrick met earlier in the day with various groups
of the department including the POA, OFJ and the WON
regarding career development and promotional
examinations.

He also stated that he held a motion hearing in
the Officer Lassus case and that the motion to send
the matter back to the weapons discharge review
board is denied. The matter is scheduled for taking
of evidence on May 8th. He also stated that the
Commission met in executive session on a litigation
matter and also with the Chief regarding personnel
matters.

a. MOTION ON CALENDARING OF NEW MATTERS

No new matters to be calendared.

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE DISCIPLINARY
CHARGES FILED AGAINST POLICE OFFICER RAYMOND A.
BEAZLEY, FIELD OPERATIONS BUREAU, POTRERO STATION

Continued one week.

RESOLUTION NO. 81-92

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE DISCIPLINARY
CHARGES FILED AGAINST OFFICER BRIAN DANKER, POTRERO
STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Brian Danker, Potero Station, was called it having been set for this date; and

WHEREAS, Commissioner Dorian Peters Nelson is assigned to conduct taking of evidence in the disciplinary charges filed against Officer Danker; and

WHEREAS, Commissioner Nelson set a date for a pre-hearing conference in the disciplinary charges filed against Officer Danker on May 13, 1992 at 10:00 a.m.; and be it

RESOLVED, that the pre-hearing conference in the disciplinary charges filed against Police Officer Brian Danker is set on Wednesday, May 13, 1992 at 10:00 a.m. in Room 505-2, Hall of Justice; and be it further

RESOLVED, that Commissioner Dorian Peters Nelson is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Police Officer Brian Danker and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Hongisto addressed the Commission regarding a shooting in the Tenderloin involving a hot chase by officers with the suspects shooting at the officers. The suspects were arrested and the investigation is continuing. He also advised the Commission regarding a shooting at Lincoln High School involving two students. He then advised the Commission of the death of Officer Randy Williams while off-duty. Commissioner Low extended sympathy to the family of Officer Williams.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Ellie Aramburo, Staff Attorney/OCC, stated that there is nothing to report.

STATUS REPORT ON DISCIPLINARY CHARGES FILED AGAINST
POLICE OFFICER VINCENT VAGO, PARK STATION

Continued on June 24 for status.

REVIEW AND DISCUSSION ON CROWD CONTROL PROCEDURES

Captain Robert Berry, Training Division, discussed Crowd Control Training. He discussed Ladder of Force vs. Continuum of Force. Commissioner Hewlett discussed future steps regarding self defense of officers and crowd control situations.

PUBLIC COMMENTS

John Crew, ACLU, discussed history of Crowd Control Policy.

Jill Tregor, CUAV, talked of training regarding Crowd Control.

Theresa Goober talked about rally on April 8th and stated that she was struck by an officer with a baton. She complained about abuse by officers and will file complaint.

Rebecca Stanley discussed rally on April 8th and also stated that she was abused by officers.

Keith McHenry, Food not Bombs, stated that he is upset with the Chief and Mayor regarding demonstrations.

Alex Vitale, Coalition for Homeless, discussed April 8th demonstration and actions of officers. He advised the Commission not to eliminate the sanctuary law.

Stephan Ray, Coalition for Homeless, discussed April 8th demonstration and force used by police.

Peter Donahue, Food not bombs, discussed demonstration on April 21 and that there were too many police.

HEARING ON DISCIPLINARY CHARGES FILED AGAINST OFFICER GREGORY BRESLIN, PARK STATION

The hearing of Police Officer Gregory Breslin, Tenderloin Task Force, was called it having been set for this date. Officer Breslin was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Use of unnecessary force (violation of Rule XI.A of General Order F-4 which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to answer truthfully and without evasion when questioned concerning performance of police duties (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Willis A. Casey, Chief of Police of the San Francisco Police Department.

Officer Gregory Breslin appeared in person and was represented by Mr. Steve Whitmore, Attorney at Law.



Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Mr. Steve Whitmore entered a plea of no contest on Specifications No. 1 and No. 2 on behalf of Officer Breslin.

The Police Commission unanimously approved and accepted the plea of Officer Breslin.

Based on these findings, the Commission requested a recommendation from Chief of Police Richard Hongisto. The following recommendation was made by the Chief of Police:

SPECIFICATIONS NO. 1 and 2

Twenty (20) days suspension

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 83-92

DECISION - HEARING OF OFFICER GREGORY W. BRESLIN,
TENDERLOIN TASK FORCE

WHEREAS, on February 11, 1992, Willis A. Casey, Chief of Police of the San Francisco Police Department made and served charges against Officer Gregory Breslin, and

WHEREAS, the Commission having heard the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION NO. 1

- (1) At all times herein mentioned, Gregory W. Breslin, Star No. 2229, (hereinafter referred to as "the accused") was a police officer employed by the San Francisco Police Department and assigned to the Tenderloin Task Force, now assigned to the Park Police District;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On October 14, 1991, the accused was assigned to patrol duties driving a patrol wagon;
- (4) At or about 2225 hours at 142 Taylor Street, in the City and County of San Francisco, a citizen was arrested for violation of Penal Code Section 647(f) by officers who were dispatched to 142 Taylor Street on the report of a strong armed robbery;
- (5) After effecting the arrest, the arresting officers called for a patrol wagon to transport the arrested person, (also the subject of the herein matter) to County Jail #1 in the Hall of Justice at 850 Bryant Street;
- (6) The accused responded to 142 Taylor Street in the patrol wagon he was driving to take custody of the arrested person for transportation to County Jail #1;

SPECIFICATION NO. 2

- (13) Paragraphs (1) through (11) of Specification No. 1 hereinabove are incorporated in this paragraph by reference and realleged by such reference as though set forth in full;
- (14) When interviewed by a Management Control Division investigator on or about November 7, 1991, concerning this incident, the accused in reply to direct questioning as to whether he had hit and kicked the citizen stated that he remembered the incident and admitted that he placed the citizen in the patrol wagon, but denied that he hit or kicked the citizen;
- (15) The citizen stated that the accused removed him from the jail and pressured the citizen to sign a waiver of medical treatment, then returned the citizen to the County Jail to sign the form. When interviewed by Management Control Division investigator on or about November 7, 1991, the accused denied recollection of whether he removed the citizen from the County Jail and pressured him to sign the waiver of treatment form and then returned the citizen to the County Jail, however he had keen recollection of other events surrounding this incident, and was evasive in his answers to questioning concerning this area;
- (16) The accused by denying that he hit and kicked the prisoner as he pushed the citizen into the patrol wagon and being evasive regarding the events leading up to the citizen signing a waiver of medical treatment form, engaged in conduct in violation of Rule A-21 of General Order D-1 of the San Francisco Police Department, which states:

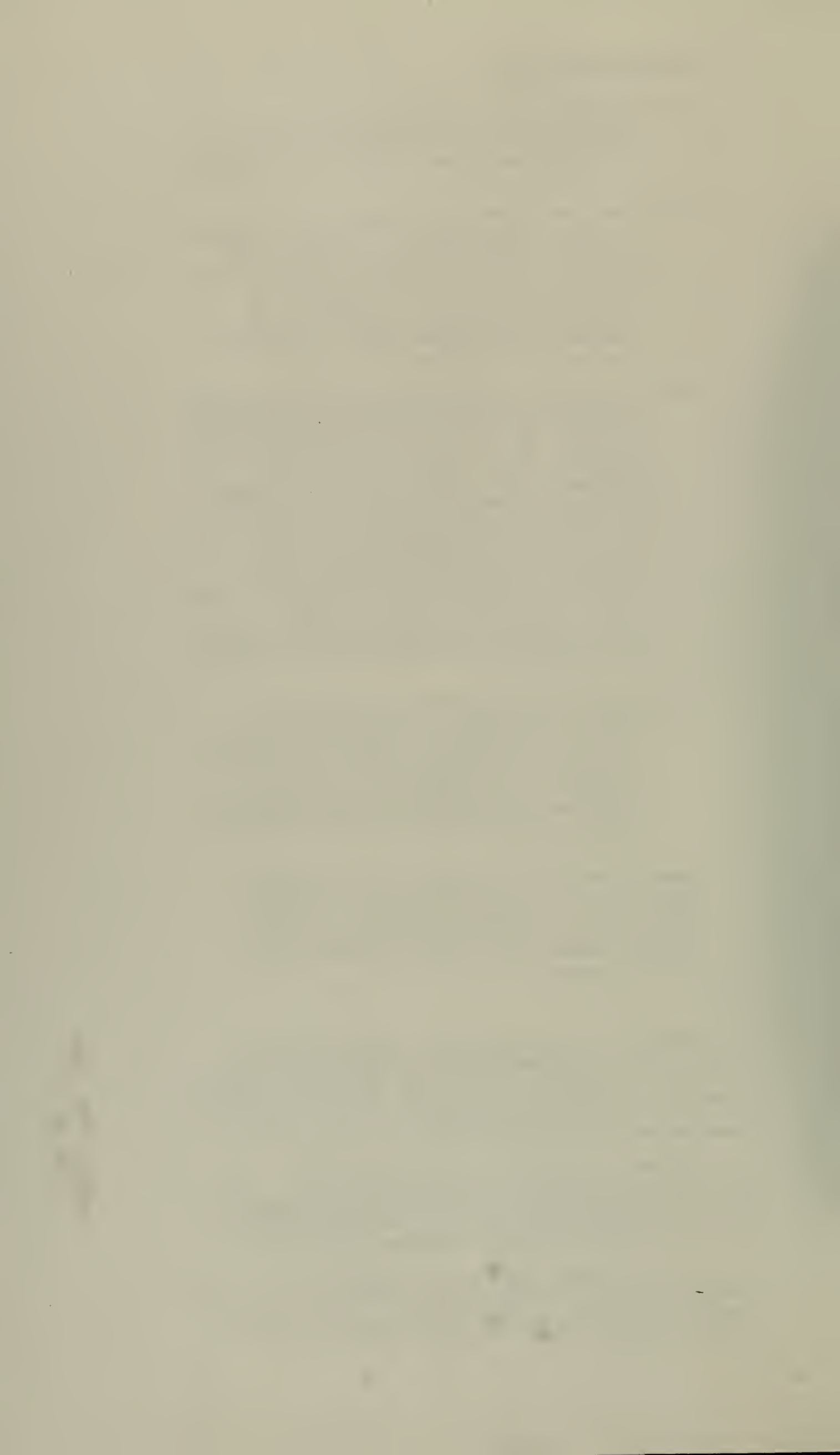
"Members shall, when questioned on matters relating to their employment with the police department by a superior officer or by one designated by a superior officer for this purpose, answer all question truthfully and without evasion."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 29, 1992, and on April 29, 1992, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the allegations contained in Specifications No. 1 and No. 2 as preferred by the Chief of Police against Police Officer Gregory Breslin are sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the



public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders the following discipline be imposed:

SPECIFICATIONS NO. 1 and NO. 2

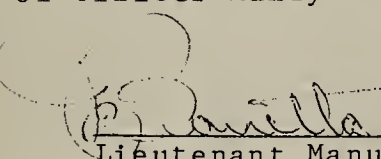
Twenty (20) days suspension

and be it further

RESOLVED, that the twenty (20) calendar days suspension shall commence on Saturday, May 9, 1992 at 0001 hours and end Thursday, May 28, 1992 at 2400 hours.

AYES: Commissioners Campana, Hewlett, Low, Nelson
ABSENT: Commissioner Detrick

The meeting, thereafter, was adjourned in memory of Officer Randy Williams.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6636M

1111
MAY 6, 1992

SF *Police Commission* *Minutes*
REGULAR MEETING

DOCUMENTS DEPT.
OCT 28 1992

SAN FRANCISCO
PUBLIC LIBRARY

192
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, May 6, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

APPROVAL OF MINUTES OF MEETING OF MARCH 18, 1992

Approval of Minutes of Meeting of March 18, 1992, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 88-92

TAXICAB PERMIT APPLICATION OF JOHN C. LAKE

WHEREAS, the San Francisco Police Commission, pursuant to its authority under Article 16 of the Municipal Police Code, appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that John C. Lake, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to John C. Lake.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

a. MOTION ON CALENDARING NEW MATTERS

No new matters to be calendared. Commissioner Low stated that the hearing of Officer Lassus has been put over for 45 days. It will not be heard on May 8th but sometime in July.

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE DISCIPLINARY
CHARGES FILED AGAINST POLICE OFFICER RAYMOND A.
BEAZLEY, FIELD OPERATIONS BUREAU, POTRERO STATION

Continued to May 27th for disposition.

RESOLUTION NO. 87-92

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE DISCIPLINARY
CHARGES FILED AGAINST OFFICER JAMES ESCOBAR, MISSION
STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer James Escobar, Mission Station, was called it having been set for this date; and

WHEREAS, Commissioner Cloey Hewlett is assigned to conduct taking of evidence in the disciplinary charges filed against Officer Escobar; and

WHEREAS, Commissioner Hewlett set a date for a pre-hearing conference in the disciplinary charges filed against Officer Escobar on Tuesday, May 19, 1992 at 1:30 p.m. in Room 505, Hall of Justice; and be it

RESOLVED, that the pre-hearing conference in the disciplinary charges filed against Police Officer James Escobar is set on Tuesday, May 19, 1992 at 1:30 p.m. in Room 505, Hall of Justice; and be it further

RESOLVED, that Commissioner Cloey Hewlett is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Police Officer James Escobar and the date for taking of evidence is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief deferred report for a later time.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Alfreda Porter, OCC Director, asked that Item #10 be put over to June 10th. She also stated that there have been eight (8) complaints filed so far as a result of the riots the previous week.

PRESENTATION BY OCC ON JUSTIFICATION FOR ADDITIONAL
INVESTIGATORS

Put over to June 10th.

PRESENTATION OF THE DEPARTMENT TRAINING GOALS

Passed until later in the calendar.



PUBLIC DISCUSSION ON CAREER DEVELOPMENT

Commissioner Low discussed career development and meetings held with various groups regarding promotional exams. He stated that he and Commissioner Detrick will continue to meet and discuss exams with these groups.

At this time, Chief Hongisto read statement and addressed the Commission regarding police actions during the riots of preceeding days. He also commended members for their actions during the riots.

REVIEW AND DISCUSSION ON DISCIPLINARY JURISDICTION AND PENALTY SCHEDULE

Lt. Pecinovsky, Management Control, updated Commission on penalty schedule and the matter was put over to May 27th.

PUBLIC COMMENTS

John Crew discussed police actions during riots. Jeffrey Pollack, VP Downton Association, supported actions of police.

Dr. H. Barrios, Mission resident, supported actions of Mayor and Chief.

Frank Winston, Mid Market/U.N. Plaza Assn., commended actions of police.

Cesar Ascarrunz commended actions of department.

Hilda Bernstein, Mission resident, approved actions of Chief and department.

Raymond Totah commended Chief and department.

Dee Minor, Bayview Hunters Point, commended police and residents of area.

Dough Comstock, resident-Castro District, thanked department for actions.

Bill Canterra, resident, supported the law and order.

Allison, arrested person, against police actions and treatment after arrest.

Henry toler, resident, supported Chief.

Paula Castillo, merchant Mission, commended Mayor.

Supervisor Bill Maher supported Mayo and Chief. He stated that he voted for emergency and stated that he did the right thing.

Bob Warten, resident-Hunters Point, commended Chief and department.

Rene de la Rosa, owner of Latin Newspaper, supported Chief and department.

Harol Lee Brooks, Jr. supported actions of Mayor and Chief.

Mike Garza thanked Chief and Mayor for their actions.

Brian Maher, arrested person, against actions of police and handling of those arrested.

Rosa Rivera, President-24th St. Assn. Merchants, commended Mayor and Chief for action.

Roger Cardeney thanked Chief and department.

Jimmie Quak thanked department for actions.

Josh Nowsater, resident, read a letter and supported Chief and Mayor.

Jim McCall, physician, supported Chief and police department.

Tony Sacco, President/Mission Terrace Improvement Assn., supported Chief and Mayor.

John Bardis supported Mayor and Chief.

Kathleen Harrington, business owner, thanked Chief for actions.

Lou Katz, arrested person, against actions of police and demands release of all arrested.

Michael Calagy, business owner, thanked Chief.
Don Barton, Merchant Mission, supported Chief.
Manuel Valdez supported Mayor and Chief.

Robert Ermander, Mission resident, against actions of Mayor and police, condemns actions of police and demands resignation of Chief Hongisto.

Gerard Koskovich against actions of police.

Stan Smith, Buildings and Trades Council, commended Chief on behalf of various unions in City.

Joliette Lockly, Golden Gate Restaurant Assn., thanked Chief, Mayor and department members for actions.

John Barbie, Mission resident, commended Mayor, Chief and department.

Ron McClathen supported actions of Chief and Mayor.

Adam Kinsey, Mission resident, against actions of police.

Joseph Dunnigan thanked Chief and department for actions.

Louise Hana arrested during riots, against actions of police.

Gary Delagnes, POA Vice President, read statement of support for Mayor and Chief.

Officer Joanne Welch commended Chief.


Officer Con Johnson, President OFJ, commended Chief and staff during the demonstrations.

Wallace Levin, commended actions of Mayor, Chief and department.

Bob Basker discussed Rodney King verdict and commended Chief.

Commissioner Campana addressed audience regarding police failure. He suggested review of police and evaluate what happened. Commissioner Low stated that the full commission will review crowd control policies and actions during demonstrations. He commended Chief and all members of the department. The Commission will review policies and procedures for any flaws.

The meeting, thereafter, was adjourned at 9:05 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6637M

OCT 28 1992

MAY 20, 1992

REGULAR MEETINGSAN FRANCISCO
PUBLIC LIBRARY

92 The Police Commission of the City and County of San Francisco met in Horace Mann Middle School at 3351 23rd Street at 6:00 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Low, Hewlett, Nelson

APPROVAL OF CONSENT CALENDARRESOLUTION NO. 93-92

APPROVAL TO ACCEPT A DONATION OF COMPUTER EQUIPMENT FROM MR. DONALD H. McPHERSON, TOTAL VALUE OF \$1,550.00, FOR THE DEPARTMENT'S JUVENILE SECTION

WHEREAS, Mr. Donald H. McPherson has generously donated a computer equipment, Compaq Portable II (Serial #1611081B211) and Texas Instruments printer (Model 855), with a total value of \$1,550; and

WHEREAS, this donation is basically for the Department's Juvenile Section; therefore be it

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to accept the computer equipment for use by the Juvenile Section.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 94-92

APPROVAL TO ACCEPT A GIFT OF FIVE (5) LOANED VEHICLES VALUED AT LESS THAN \$5,000.00 FROM THE CITY TOW

WHEREAS, the San Francisco Police Department is in need of vehicles for various "plainclothes" law enforcement functions; and

WHEREAS, The City Tow has generously offered the gift of lending five (5) vehicles, intended for use by "plainclothes" investigative units within the San Francisco Police Department; and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the Department head of those gifts to the City and County of a value of Five Thousand (\$5,000) Dollars or less; now therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby grants to the Chief of Police the authority to accept the gift of five (5) loaned vehicles valued at less than \$5,000 from The City Tow.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORTa. MOTION ON CALENDARING OF NEW MATTERS

No new matters to calendar.

RESOLUTION NO. 91-92

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE DISCIPLINARY
CHARGES FILED AGAINST POLICE OFFICER EDDIE L. COLEY,
POTRERO STATION

WHEREAS, the assignment of Commissioner and
setting of date to conduct taking of evidence in the
disciplinary charges filed against Police Officer
Eddie L. Coley, Potrero Station, was called it
having been set for this date; and

WHEREAS, Commissioner David Detrick is hereby
assigned to conduct taking of evidence in the
disciplinary charges filed against Officer Coley; be
it therefore

RESOLVED, that Commissioner David Detrick is
hereby assigned to conduct taking of evidence in the
disciplinary charges filed against Police Officer
Eddie L. Coley and the date for taking of evidence
is to be set at a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

RESOLUTION NO. 92-92

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO
CONDUCT TAKING OF EVIDENCE IN THE DISCIPLINARY
CHARGES FILED AGAINST POLICE OFFICER ARLANA P.
SPIKENER, INGLESIDE STATION

WHEREAS, the assignment of Commissioner and
setting of date to conduct taking of evidence in the
disciplinary charges filed against Police Officer
Arlana P. Spikener, Ingleside Station, was called it
having been set for this date; and

WHEREAS, Commissioner David Detrick is hereby
assigned to conduct taking of evidence in the
disciplinary charges filed against Officer Spikener;
be it therefore

RESOLVED, that Commissioner David Detrick is
hereby assigned to conduct taking of evidence in the
disciplinary charges filed against Officer Spikener
and the date for taking of evidence is to be set at
a later date.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

CHIEF'S REPORT TO THE POLICE COMMISSION

No Chief's report. Captain Newlin will report
later regarding Mission District.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

No representative from OCC.

DISCUSSION ON THE MAYOR'S TASK FORCE ON THE MISSION

Hilda Bernstein, Mayor's Mission Task Force,
addressed Commission regarding problems in the
Mission District.

Unidentified talked of drugs in the Dolores Park area.

Sarah Vaughn talked of crime condition in the Mission and children's safety.

John (no last name) discussed crime impact on older people.

Tom (no last name) read a letter from business in community regarding accelerating patrol on Mission and 16th Streets.

Unidentified complained about 911 and communications and using narcotics forfeiture funds for communications.

Glenda Powell, resident Bernal Heights, talked of crime in her area.

Rita Alvian talked of crime in the area of 24th & Potrero Streets, suggested recreation program.

Sandy Nylan, Bartlett Street resident, talked of tactics of police during protests, need for more CPOP officers, and problems with public drunkenness.

Maria Reyes, resident, talked of concerns regarding seniors in the area not being able to leave their homes because of crime.

Hilda Bernstein discussed police staffing in the Mission and asked for more. She asked to meet with Commissioners regarding problems and concerns.

CAPTAIN JOHN NEWLIN, COMMANDING OFFICER, MISSION STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE MISSION DISTRICT

Captain John Newlin address audience regarding problems and police actions in the district.

PUBLIC COMMENTS

Ceasar Ascarrunz, merchant, talked of crime in Mission and Prostitution.

Unidentified resident complained of police attacks on demonstrators.

Raymondo Rosa asked Commission to reinstate Hongisto.

Unidentified supported Commission's actions in firing Hongisto.

Unidentified was arrested on August 1st, discussed arrests and possible law suits. Called for investigation of police sweep during demonstration.

Annette (no last name) complained of police actions during protests and supported the firing of Hongisto.

Unidentified speakers supported the firing of Hongisto. One speaker talked of gang situation in the Mission and stated that Hongisto was a lousy chief. They supported Commission's action and were against Hongisto.

Richard Hongisto arrived and addressed the audience and Commission and asked for his job back.

Judy Lai thanked Commission for their stand and their decision regarding Hongisto.

ACLU member discussed arrests of protesters against actions of Hongisto.

Numerous other persons addressed the Commission. Some against the firing and some supporting the Commission's actions. Others addressed problems in the Mission District.

After listening to those who addressed the Commission, Commissioner Low discussed a letter from Mr. Patrick Hallinan, representing Richard Hongisto. He stated that there is no action pending before the Commission regarding Hongisto and the action taken by the Commission on May 14th re Hongisto stands. The Commission supported Acting Chief Tom Murphy. He talked of the crowd control policy and stated that it will be reviewed by the Commission. After statements by each Commissioner, Commissioner Hewlett made a motion for the Commission to meet in closed session with the City Attorney regarding release of transcript of Hongisto's hearing. Deputy City Attorney Mariam Morley addressed them regarding public necessity. They recessed at 10:10 p.m. to 10:25 p.m. Commissioner Hewlett made a motion to waive confidentiality and authorize release of the transcripts of May 14th hearing. Seconded by Commission Detrick. Motion was then approved. copies of transcript were released.

The meeting, thereafter, was adjourned at 10:30 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6650M



F
15
2
7/92

SF

Police Commission

Minutes

DOCUMENTS DEPT.

OCT 28 1992

SAN FRANCISCO
PUBLIC LIBRARY

1111

MAY 27, 1992

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, May 27, 1992 at 5:15 p.m. in Closed Session.

Attorney-Client Conference

Danilo Santiago, et al vs. CCSF, et al

MAY 27, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, May 27, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 98-92

APPROVAL TO EXPEND FUNDS FROM THE "VEHICLE THEFT CRIMES FUND" IN THE AMOUNT OF \$400,000.00

WHEREAS, California Vehicle Code Section 9250.14 authorizes a \$1.00 surcharge on vehicles registered in this City for enforcement, investigation, and prosecution related to vehicle theft; and

WHEREAS, we will receive a minimum of \$400,000.00 annually from this vehicle theft fund; and

WHEREAS, Police Commission review is needed prior to expenditure of the funds; now, therefore be it

RESOLVED, that the Police Commission hereby approves the expenditure of \$400,000.00 for the San Francisco Police Department Vehicle Theft Abatement Program.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 99-92

DANILO SANTIAGO, et al vs. CCSF, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Danilo Santiago, et al vs. CCSF, et al in Municipal Court No. 036-970 in the amount of \$22,500.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 30, 1989

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson



POLICE COMMISSION REPORT

Commissioner Low appointed Commissioner Campana and Commissioner Detrick to review the crowd control policy. Commissioner Hewlett asked to reschedule another Mission District meeting later in the year. Commissioner Low discussed motion to dismiss charges regarding Andrea Joseph. This motion was denied. Hearing is scheduled for July 23 and 24.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy defers any report to department goals.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Irene Rapoza stated that there is no report and handed out OCC first quarter statistics for review by the Commission.

RESOLUTION NO. 95-92

APPROVAL OF "SURPLUS TRANSFER REQUEST"

WHEREAS, the Police Department has projected surplus amounts in Permanent Salaries - Miscellaneous, Temporary Salaries - Regular Temporary, Permanent Salaries - Uniform, and Mandatory Fringe Benerits; and

WHEREAS, the Police Department has projected deficits in Rental of Property, Central Shops - Maintenance, Reproduction, Temporary Salaries - Differential Pay, Holiday Pay - Uniform, Workers Compensation, Hepatitis B Vaccination program, DP/WP Prof Svc Contracts, Other Contractual Services, Routine Travel (Investigative), Other Current Services, Overtime - Uniform, Extended Work Week, Building Repair, and Telephone; therefore be it

RESOLVED, that "Surplus Transfer Request" numbers TF 38-10003, TF 38-10004, and TF 38-10005, be approved so that projected deficits may be covered prior to the end of the fiscal year.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

PRESENTATION OF THE POLICE DEPARTMENT BUDGET FOR FISCAL YEAR 1992 - 1993

Captain Ribera presented budget and discussion followed regarding cost recovery line in same. After lengthy discussion including reducing of personnel through attrition, costs of Hibernia Bank building, more communications dispatchers, the budget was approved with the exception of line 13 (cost recovery regarding street fairs, etc.) which is calendared for June 10th for discussion and action.

RESOLUTION NO. 96-92

SAN FRANCISCO POLICE DEPARTMENT OPERATING BUDGET FOR FISCAL YEAR 1992 - 1993

RESOLVED, that the Police Commission hereby approves the attached operating budget of the San

Francisco Police Department for Fiscal Year
1992-1993.

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

REVIEW AND DISCUSSION REGARDING PROPOSAL ON
DISCIPLINARY JURISDICTION AND PENALTY SCHEDULE

Over to June 24th.

REVIEW AND DISCUSSION OF HEARING OFFICER'S FINDINGS
OF FACT REGARDING TAXICAB PUBLIC CONVENIENCE AND
NECESSITY

Officer Farrell Suslow, Taxi Detail, updated the Commission and presented paratransit request. Mr./Desta presented letters for reference and discussed complaints regarding community not adequately served. After discussion the matter was approved.

RESOLUTION NO. 97-92

POLICE COMMISSION DISCUSSION AND CONSIDERATION FOR
ADOPTING OR REJECTING THE PC&N HEARING OFFICER'S
FINDINGS OF FACT FOR PUBLIC CONVENIENCE AND
NECESSITY TAXICAB PERMITS

WHEREAS, 905 individuals have applied to the Police Commission for a declaration by the Police Commission of public convenience and necessity for the issuance of more permits to operate taxicabs in the City and County of San Francisco; and

WHEREAS, the Police Commission in considering public convenience and necessity for the years 1991-1992 appointed a Hearing Officer to conduct public convenience and necessity hearings for the taking of oral and written evidentiary matters; and

WHEREAS, the Hearing Officer, Captain Michael Hebel, was appointed on August 14, 1991, as the official officer to take said oral and written documentary evidence; and

WHEREAS, this matter came up for hearing before the Hearing Officer on October 15, 1991 and continued to October 17, 18, 21, and concluded on October 22, 1991; and

WHEREAS, various applicants appeared before the Hearing Officer on the above hearing dates and presented oral and documentary evidence in support of their applications; and

WHEREAS, many owners and operators of taxicabs testified in opposition to the granting of additional permits, and evidence in support of their position was presented to the Hearing Officer; and

WHEREAS, the law requires that in order for a declaration of public convenience and necessity to be made, the applicants shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; and

WHEREAS, on April 15, 1992, Captain Michael Hebel, the Hearing Officer, presented findings of fact to the Police Commission of which a public discussion was also held on that date; and

WHEREAS, the Police Department staff reviewed the Hearing Officer's findings of fact and submitted a report in concurrence to these findings; and

WHEREAS, on the said report, the Taxicab Detail of the San Francisco Police Department recommends that the Police Commission find that "Public Convenience and Necessity" does exist for the issuance of up to six additional taxicab permits with stipulations set forth by the Taxicab Detail; and

WHEREAS, the Police Commission, after reviewing the Hearing Officer's findings of fact, the Police Department staff's report in concurrence, and listening to public testimony subsequently scheduled the matter for a Police Commission decision to accept or reject the Hearing Officer's findings of fact on May 27, 1992; and

WHEREAS, said hearing on May 27 was heard and discussed thoroughly by and among the Police Commissioners who unanimously agreed that public convenience and necessity had not been established by clear and convincing evidence to require the operation of additional permits; therefore be it

RESOLVED, that it shall be the order of the Police Commission that public convenience and necessity has not at this time been established to require the operation of additional permits for which applications have been made.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

PRESENTATION OF THE POLICE DEPARTMENT GOALS

Captain Robert Berry - Academy discussed Training Review Committee and cultural awareness.
George Mix - Training Review Committee talked of Ethics and Professional Committee and Hate Crimes.
Bob Sperlock - Training Review Committee talked of POST Committee.
Lt. Ed Pecinovsky - Management Control Division
Lt. Gary Pisciotto - Staff Inspection discussed report writing.
Officer Sandi Borgioni discussed Hate Crimes.
Captain Robert Fife discussed communications staffing and equipment.
Captain Dennis Martel discussed traffic

The remaining department goals were put over one week to June 3rd.

PUBLIC COMMENTS

Judith Klain, Commission on Status of Women, read a letter and asked for termination of Sgt. Hensic.

Louette Columbano, retired officer, asked for termination of Hensic.

Officer Dolly Casazza addressed the Commission regarding Sgt. Hensic.

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE SERGEANT DONALD I. HENSIC, WARRANT BUREAU - PENALTY DECISION

The hearing of Police Sergeant Donald I. Hensic, Warrant Bureau, was called it having been set for



this date. Sergeant Hensic was charged with violation the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in harassing unwelcomed intimate physical contact on the person of a female police officer (a violation of Rule I (A) & VI (B) of General Order D-17 and Rule A-9 of General Order D-1 of the San Francisco Police Department;

SPECIFICATION NO. 2

Engaging in harassing unwelcomed intimate physical contact on the person of a female police officer (a violation of Rule I (A) & VI (B) of General Order D-17 and Rule A-9 of General Order D-1 of the San Francisco Police Department;

SPECIFICATION NO. 3

Engaging in inappropriate comments and/or conduct which has the purpose or effect of interfering with work performance and/or creates an intimidating, hostile, embarrassing or offensive work environment (a violation of Rule VI, (B) & VIII (A) & (B) of General Order D-17 and Rule A-9 of General Order D-1 of the San Francisco Police Department;

SPECIFICATION NO. 4

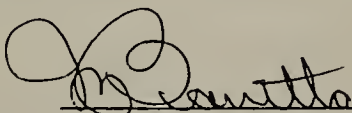
Engaging in disparate, unequal and/or different treatment of female officers (a violation of Rules VI, VII & VIII of General Order D-17 of the San Francisco Police Department and Rule A-9 of General Order D-1 of the San Francisco Police Department);

in a properly verified complaint by Frank M. Jordan, former Chief of Police of the San Francisco Police Department.

On Wednesday, May 13, 1992, the Police Commission sustained Specification No. 1 (Paragraph 4) and Specification No. 2 (Paragraph 10) of the disciplinary charges filed against Sergeant Donald I. Hensic.

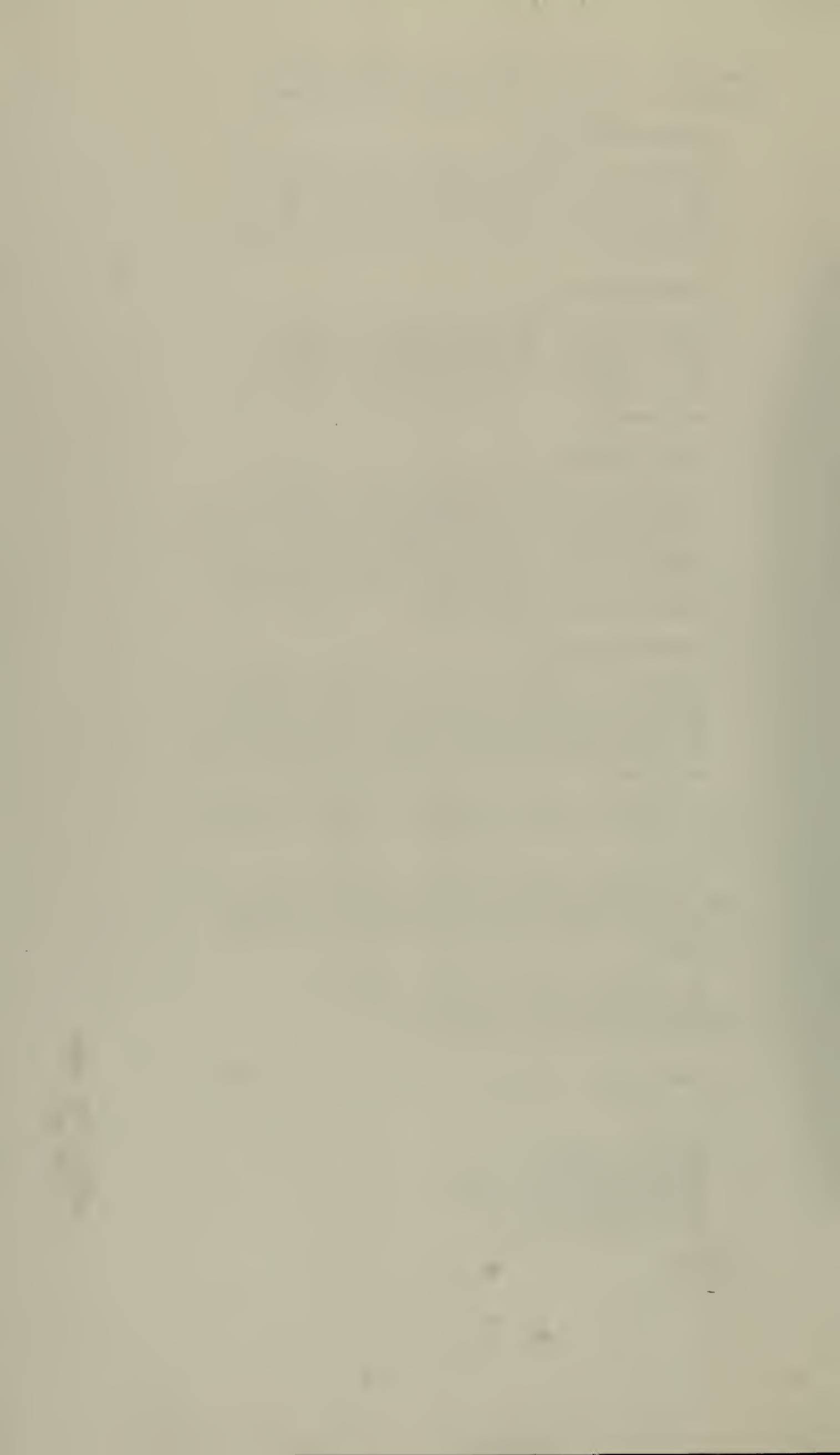
On Wednesday, May 27, 1992, the Police Commission decided to impose the penalty of termination effective immediately.

The meeting, thereafter, was adjourned at 10:25 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6653M



FEB 10 1993

SAN FRANCISCO
PUBLIC LIBRARY

JUNE 3, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 3, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

Commissioner Low announced that there will be no meeting on July 1st. He also discussed scheduling another meeting in the Mission District in the fall.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy discussed staffing concerns regarding dispatchers and police service aides. He stated that police service aides will remain at the stations and dispatchers positions will be put back into the budget.

Commander Brush then briefed the Commission on an operation in the Southern and Northern Districts the previous week targeting drug traffickers, public drunks, aggressive panhandlers and prostitutes. He stated that there were over 750 arrests and 294 were prostitution related.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Ms. Irene Rapoza, OCC, cites statistics for the first quarter of 1992.

DISCUSSION OF THE AFFIRMATIVE ACTION PLAN OF THE SAN FRANCISCO POLICE DEPARTMENT

Lt. Melinda Pengel, Personnel, presented the Affirmative Action Plan. Laura Skulgan, Public Advocates, asked for the matter to be put over to June 17th to allow time for her to review prior to Commission action. The matter was then put over to June 17th.

PRESENTATION OF THE POLICE DEPARTMENT GOALS

Captain Michael Hebel presented goals for Community Police Officer Program (CPOP) and discussed program with Commission.

Captain Thomas Suttmeier briefed Commission on the building upgrade schedule regarding Potrero and Taraval Stations. He also discussed communications and crime analysis.

Captain John Robinson discussed Investigations Division.

PUBLIC COMMENTS

Mike, Parking Control Officer, talked about Parking and Traffic Control budget cuts. Asked the Chief and Commission to urge Parking Authority and Mayor not to cut parking control officers.

Frank Martin Del Campo, Local 790, commended Chief regarding dispatchers positions being filled. Asked to be included in discussions when budget cuts are completed.

Judith Hogan, member of Local 790, talked of short staffing in Communications and thanked Chief.

Laura Kracke talked of staff shortages in communications and the need for more help..

Members of the Senior Action Network (SAN) talked of concerns regarding staffing shortage in Communications.

George Williams, SAN, offered help in securing new dispatchers positions.

Mr. John Prentice, Attorney for Jay Wallace, addressed the Commission regarding request for reappointment of Jay Wallace.

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST
POLICE SERGEANT GEORGE TOY, WARRANT BUREAU -
DISPOSITION

The hearing of Police Sergeant George C. Toy, Warrant Section, was called it having been set for this date. Sergeant Toy was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency or discipline of the department and which brings discredit on the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to answer questions truthfully and without evasion (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which subverts the good order, efficiency or discipline of the department and which brings discredit on the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 4

Engaging in conduct which subverts the good order, efficiency or discipline of the department and which brings discredit on the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 5

Using harsh, profane and uncivil language while on duty (violation of Rule A-14 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Willis A. Casey, former Chief of Police of the San Francisco Police Department.

Sergeant George Toy appeared in person and was represented by Mr. Steve Whitmore, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Mr. Steve Whitmore entered a plea of no contest on Specification Nos. 1 through 5 on behalf of Sergeant Toy.

The Police Commission unanimously approved and accepted the plea of Sergeant Toy.

Based on these findings, the Commission requested a recommendation from Acting Chief of Police Thomas F. Murphy. The following recommendation was made by the Chief of Police:

SPECIFICATION NOS. 1 THROUGH 5

Thirty (30) days suspension

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 100-92

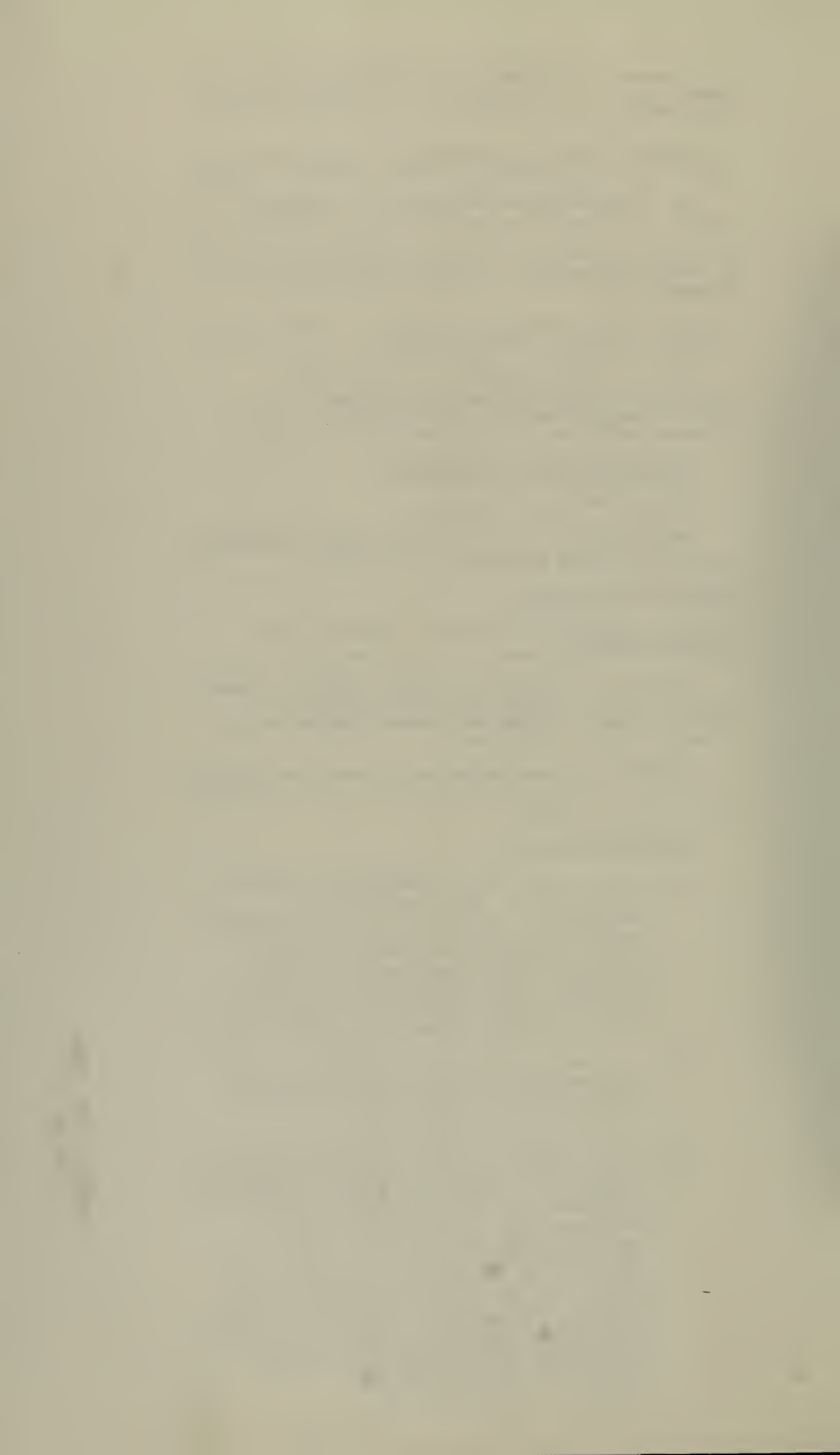
DECISION - HEARING OF SERGEANT GEORGE C. TOY,
WARRANT SECTION

WHEREAS, on February 10, 1992, Willis A. Casey, Chief of Police of the San Francisco Police Department made and served charges against Police Sergeant George C. Toy, and

WHEREAS, the Commission having heard the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION NO. 1

- (1) At all times herein mentioned, Sergeant George C. Toy, Star Number 1984, (hereinafter referred to as "the accused") was and is a police officer holding the rank of Sergeant employed by the San Francisco Police Department, initially assigned to the Richmond Station, then to the Park Station, and now assigned to the Warrant Section, Support Services Division;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) While assigned to Richmond Station, on or before June 9, 1988, the accused commenced a course of conduct designed to subvert the good order, discipline and efficiency of the department by purposeful actions opposing authority and by causing administrative problems which impede the operation of his then currently assigned unit. This can be characterized by his knowledge and use of "loop holes" in the department procedure to keep from having to do assigned work, to establish excuses for neglect of duty and attempts to avoid charges of insubordination;



- (4) A complainant made a charge of sexual harassment against the accused; in retaliation the accused made an unfounded E.E.O. charge against the complainant; On June 9, 1988, the accused made a statement to a female officer which constituted sexual harassment and created a hostile work environment in violation of General Order D-17; the matter was investigated and a Chief's hearing was scheduled; At the hearing on October 25, 1988, the Chief of Police reprimanded the accused for the June 9, 1988 statement;

While the above hearing was pending, on September 7, 1988, the accused made an unfounded charge against the original complainant charging that had she violated General Order D-17 by statements she made to a third party, the accused made that unfounded charge in retaliation for the complainant's original complaint; on July 19, 1989, after investigation and hearing of the retaliation matter, the Chief of Police suspended the Civil Service Commission hearing of the retaliation matter, the Chief of Police suspended the accused for three days (with two days held in abeyance for one year); the three day suspension was appealed to the Police Commission, first appearing on its calendar on August 2, 1989, and was continued from time to time until February 21, 1990, when the accused withdrew his appeal;

- (5) In a separate incident, the accused was evasive in the course of an Equal Employment Opportunity Unit investigation; On January 8, 1991 and on February 5, 1991, the accused was interviewed as a witness by the San Francisco Police Department Equal Employment Opportunity Unit (EEO Unit) regarding allegations by a female police officer that she was the victim of sexual harassment; after the interview the accused made the statement to a fellow officer that on the first interview, the accused "didn't want to see anything happen to (the alleged harasser) so he tried to cover him or tried to take care of him." The accused, in preparation for a second interview, stated to the same officer, that the first time he tried to help the accused harasser but that he was going back down to the EEO Unit for the second interview and "get" the alleged harasser;

- (6) In a separate incident, the accused failed to report to his commanding officer his use of drugs which were causing side affects until he needed an excuse for negligence; On February 28, 1991, the accused was questioned concerning his failure to "fax" a police report to the record room as required by department procedures; as an excuse for his neglect of duty in not faxing the report, the accused stated that "the reason I had a "failure to fax," is because I am not operation at 100%, and this due to the job incurred stress or medication that I am taking or possibly both."; on March 9, 1991, the accused notified his commanding officer by memorandum after the fact that he had been



taking medications which may affect his performance; General Order D-18 requires that the notice be given before the fact rather than after acts have occurred which require explanation or expose himself, his fellow employees or the public to danger;

- (7) Counseling session, accused thinks Warrant Section demeaning; On September 9, 1991, the commanding officer of the Warrant Section held a counseling session with the accused to resolve the accused's refusal to cooperate with accomplishing the mission of the unit; during the meeting, the accused refused to cooperate, informed the commanding officer of the Warrant Unit that he found working in the Warrant Section "demeaning," that he wouldn't do clerk or civilian work and made a series of demands; following the counseling session no smoking signs were removed from the wall in the Warrant Section and replaced with a sign demanding that a couch be placed in the section for the accused to lie down on;
- (8) In a separate incident, failure to safeguard purported evidence after making allegations of other improper conduct; On October 17, 1991, the accused stated that he had found some scrap message pads which were made from confidential medical records; he made allegations concerning the police physician's failure to keep medical information confidential; on October 31, 1991, when the message pads were requested so that the matter could be investigated, the accused stated that he could not find them, possibly his small child had destroyed them or his wife had burned them up;
- (9) Real or feigned back injury incident: In a separate incident, on October 22, 1991, the accused informed his commanding officer that he had injured his back picking a piece of paper out of a rotofile in the Warrant Unit; On October 23, 1991, the accused responded to Kaiser Permanente emergency room for the injury of October 22, 1991; the attending physician at Kaiser completed an industrial injury form putting the accused off duty from October 23 to October 31, 1991, returning the accused to full duty on October 31, 1991; the slip did not indicate the nature of the problem or diagnosis;
- (10) Department rules require commanding officers to investigate and report on all industrial injuries that occur in their respective units; the commanding officer of the Warrant Unit received the accused's memorandum regarding his injury of October 22, 1991, and observed him easily pick up, with no apparent pain or posture indicating pain, and carry under his right arm, a programmable electric typewriter, his grip weighing 12-15 lbs., and a large sheaf of papers approximately three inches thick and measuring 12 x 18 inches;
- (11) The commanding officer of the Warrant Unit, telephoned the physician to gather the information for the report of industrial injury form; the doctor informed the

Commanding Officer that his diagnosis was lumbar sacral strain and that the accused would have to be a "good actor" to carry the items described in the paragraph above without exhibiting pain symptoms and that the accused would have been unable to do the described actions based on the doctor's examination approximately an hour before the accused left the Warrant Section for home carrying the above described items; either the accused was not as badly injured as he represented to the Kaiser doctor or he was intentionally attempting to cause the Commanding Officer of the Warrant Unit to believe that he was not injured in order to further his disruptive scheme;

- (12) In a separate course of conduct, the accused refused and neglected to circulate and receipt for orders; The accused was assigned to the Warrant Section on June 17, 1991; on August 21, 1991 (sic), after verbal requests for compliance failed, in an effort to communicate important information to members of the unit, the Officer in Charge of the Warrants Section, generated a memorandum order requiring that the Sergeants assigned to the Warrant Section review materials on a daily basis and act to insure that other staff members are informed of the contents. The order requires the Sergeants and the staff to initial a cover sheet signifying review of the materials;
- (13) On August 30, 1991, the Officer in Charge of the Warrants Section generated "Warrant Unit General Order," number S-01 which describes the duties and responsibilities of the Sergeants assigned to the Support Services Division, Warrants Unit; the accused failed and refused to follow the procedures for review and initialing the signoff sheet; on September 19, 1991, the accused still had not acknowledged receipt of Order S-01; on September 25, 1991, the Officer in Charge personally hand delivered a copy of Order S-01 to the accused. The accused continued to ignore the directive to review and initial cover sheets for material circulated to the Warrants Unit; on November 27, 1991, the Officer in Charge of the Warrant Unit initiated another memorandum urging the Sergeant to comply with the procedures for circulating and initialing the information. As of December 6, 1991, the accused still had not complied with the directive. All the above acts undermined his supervisor's role and frustrated the ability of the Officer in Charge to manage the unit;
- (14) The accused by engaging in conduct illustrated by the above incidents, subverts the good order, discipline and efficiency of the department and clearly undermines the accomplishment of the mission of the department, has engaged in conduct which constitutes a violation of rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- (15) Paragraphs (1) and (2) of Specification No. 1 hereinabove are incorporated in this paragraph by reference and realleged as though set forth in full;
- (16) On or about April 3, 1991, the accused stated to a Patrol Special Officer that the Commanding Officer at Park Station had instructed the Sergeants and other staff to watch out for the Patrol Special and not to help him;
- (17) The above matter came to the attention of the Police Department when a notebook was left lying on the counter at Northern Station which belonged to the Patrol Special and contained notations concerning the above;
- (18) Investigation by the Management Control Division resulted in the accused being called in for an interview, during which the accused stated to the investigator that the Captain at Park Station had instructed the sergeants that they were to order the members of their watches to ostracize the named Patrol Special Officer, which was not a true statement;
- (19) The accused by falsely stating to the Management Control investigator that the commanding officer of Park Station had ordered him to ostracize a Patrol Special Officer, and further that the commanding officer ordered him to address the watch before they commenced patrol duties that they also should ostracize the patrol special, has engaged in conduct which violates rule A-21 of General order D-1 of the San Francisco Police Department, which states:

"Members shall, when questioned on matters relating to their employment with the Police Department by a superior officer or by one designated by a superior officer for this purpose, answer all questions truthfully and without evasion. Prior to being asked to respond to the questions, the member shall be advised of and afforded all his/her civil and employee rights as provided at that time by law or contractual agreement."

SPECIFICATION NO. 3

- (20) Paragraphs (1) and (2) of Specification No. 1 hereinabove are incorporated in this paragraph by reference and realleged as though set forth in full;

- (21) On June 24, 1991, at or about 1700 hours, the accused completed booking a prisoner at County Jail #1 on the 6th floor or the Hall of Justice; an officer from the Special Investigations Unit was on duty escorting two burglary suspects to be booked in County Jail #1; there was a delay in the booking process, the officer and his prisoners was required to wait outside the jail in the lobby area with other persons present who were also waiting for jail facilities; the accused exited the county jail into the jail lobby area and engaged in conversation with two officers from the Park District who were also waiting, in a voice which could be overheard by the officers present, the prisoners present and any other persons in the jail lobby area;
- (22) On June 24, 1991, in the lobby of the jail under the conditions set forth in paragraph 21 above, the accused made statements charging other members of the department with breaking into a car belonging to a Patrol Special Officer while it was parked at Northern Station, stealing a notebook and cash from the car and planting a 9mm pistol in the car; the accused stated that he had turned the tables on the other officers by initiating an investigation of them; he also stated that he has the department beat because he works eight hours Monday through Thursday and has Fridays off; the accused in making the statements referred to herein, used coarse and vulgar language in referring to other members of the department and bragging about his counter offensive moves; was engaged in making statements for personal purposes and for no protected expression of speech;
- (23) The accused by making unsubstantiated charges concerning other members of the department, charging them with dishonest acts and using curse words and vulgar language in referring to the other members of the department and to his counter offensive moves in a semi-public place has engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 4

- (24) Paragraphs (1) and (2) of Specification No. 1 hereinabove are incorporated in this paragraph by reference and realleged as though set forth in full;

- (25) On July 17, 1991, at or about 1245 hours, in connection with his claim that he had suffered an industrial injury, the accused reported to the Franciscan Treatment Room, in the St. Francis Hospital, 900 Hyde Street, San Francisco, California, for examination following his report of back pain on July 16, 1991;
- (26) At the St. Francis Treatment Room, he was informed by staff that because his injury appeared to be connected to a previous injury, it would be necessary to discuss his case with the Workers Compensation administrators;
- (27) The accused was directed to a room which contained a telephone for him to use to contact the Workers Compensation administrators concerning his matter; a nurse employed in the St. Francis Treatment Room observed the accused eavesdropping at the door of a doctor's office nearby listening to what turned out to be a conversation between the St. Francis Treatment Room attending physician and a representative of the Workers Compensation Division; the nurse also observed the accused begin pounding of the wall and screaming through the door at the doctor;
- (28) The accused by his loud voice and violent pounding on the wall of the Doctor's office disrupted the entire office at the St. Francis Treatment Room;
- (29) The accused by eavesdropping on telephone conversations and then pounding on the wall and interrupting the business office of the Franciscan Treatment room, has engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or any member thereof or is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 5

- (30) Paragraphs (1) and (2) of Specification No. 1 hereinabove are incorporated in this paragraph by reference and realleged as though set forth in full;
- (31) When the doctor referred to in Specification No. 4, above exited his office, the accused confronted him and continued to shout loud exclamatory statements and frightened the doctor, putting him in fear that he would be physically assaulted;

(32) The accused by using loud, threatening and profane language while at the Franciscan Treatment Room for examination in connection with an alleged industrial injury has engaged in conduct which constitutes a violation of Rule A-14 of General Order D-1 of the San Francisco Police Department, which states:

"Members shall, in the performance of their duties or while acting in the capacity of a peace officer off-duty, treat all members of the public with courtesy and respect and eschew harsh, profane or uncivil language. When requested, members shall promptly and politely provide their name, star number and assignment."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, June 3, 1992, and on June 3, 1992, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the allegations contained in Specification Nos. 1 through 5 as preferred by the Chief of Police against Police Sergeant George Toy are sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders the following discipline be imposed:

SPECIFICATION NOS. 1 THROUGH 5

Thirty (30) days suspension

and be it further

RESOLVED, that the thirty (30) calendar days suspension shall commence on Thursday, June 4, 1992 at 0001 hours and end Friday, July 3, 1992 at 2400 hours.

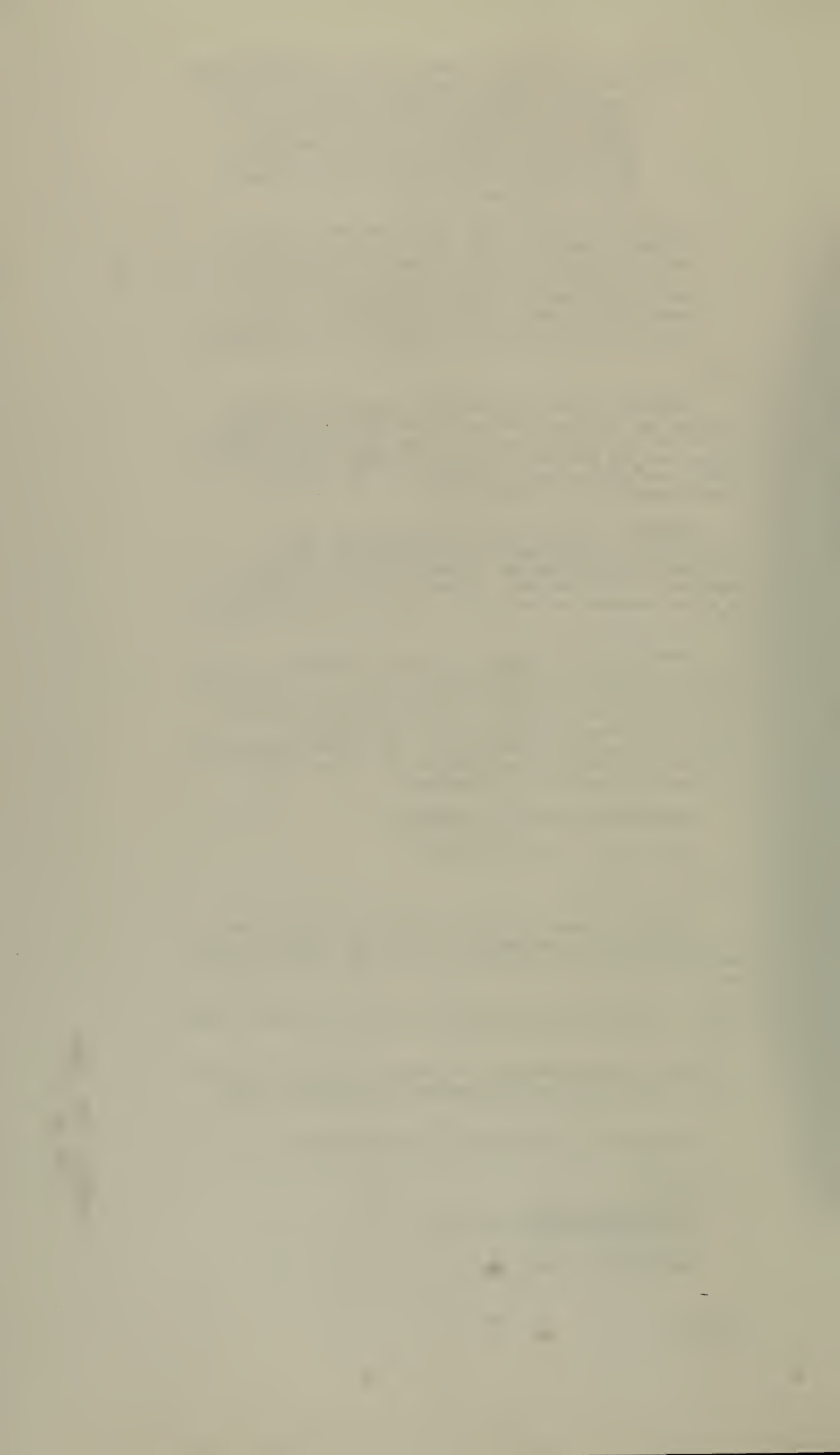
AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

(The entire proceedings was taken in shorthand form by Mr. Clint Miller, Henderscheid and Associates)

The meeting, thereafter, was adjourned.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION



1111
JUNE 10, 1992

SF Police Commission
Minutes
CLOSED SESSION

DOCUMENTS DEPT.

FEB 10 1993

SAN FRANCISCO
PUBLIC LIBRARY

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, June 10, 1992 at 5:15 p.m. in Closed Session.

Attorney-Client Conference

Magat vs. City and County of SF, et al

JUNE 10, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 10, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

APPROVAL OF MINUTES OF MEETING OF MARCH 25, 1992

Approval of Minutes of Meeting of March 25, 1992, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 102-92

TAXICAB PERMIT APPLICATION OF GONG YEE

WHEREAS, the San Francisco Police Commission, pursuant to its authority under Article 16 of the Municipal Police Code, appointed a Hearing Officer who conducted hearings from October 15, 1991 through October 22, 1991, regarding the current levels of taxicab service in the City and County of San Francisco and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, May 27, 1992, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Gong Yee, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Gong Yee.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 103-92

TAXICAB PERMIT APPLICATION OF FIROUZ MAHDAVI

WHEREAS, the San Francisco Police Commission, pursuant to its authority under Article 16 of the Municipal Police Code, appointed a Hearing Officer who conducted hearings from October 15, 1991 through October 22, 1991, regarding the current levels of taxicab service in the City and County of San Francisco and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, May 27, 1992, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Firouz Mahdavi, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Firouz Mahdavi.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 104-92

TAXICAB PERMIT APPLICATION OF WILLIAM COLLIER HOUSE

WHEREAS, the San Francisco Police Commission, pursuant to its authority under Article 16 of the Municipal Police Code, appointed a Hearing Officer who conducted hearings from October 15, 1991 through October 22, 1991, regarding the current levels of taxicab service in the City and County of San Francisco and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, May 27, 1992, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that William Collier House, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission

in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to William Collier House.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

RESOLUTION NO. 105-92

TAXICAB PERMIT APPLICATION OF CURTIS DAVIS

WHEREAS, the San Francisco Police Commission, pursuant to its authority under Article 16 of the Municipal Police Code, appointed a Hearing Officer who conducted hearings from October 15, 1991 through October 22, 1991, regarding the current levels of taxicab service in the City and County of San Francisco and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, May 27, 1992, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Curtis Davis, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Curtis Davis.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 101-92

MAGAT vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Magat vs. City and County of San Francisco, et al in Superior Court No. 934-944 in the amount of \$26,000.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 4, 1990

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

Commissioner Hewlett asked when the penalty schedule will be presented and is informed that it will be presented on June 24th.

Commissioner Low stated that he and Commissioner Detrick met this afternoon with representatives of employee groups including POA, OFJ, WON regarding career development. Meeting is continued to June 24th at 4:00 p.m.

Commissioner Low also discussed future promotional exams. He also discussed reinstituting the My Favorit Cop Program sometime after July 1st.

a. MOTION ON CALENDARING OF NEW MATTERS

No new matters.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy discussed the status of the Hibernia Bank building. He stated that for budgetary reasons, the police will be leaving the building and is presently looking for a smaller location for the Tenderloin Task Force.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Alfreda Porter, OCC Director, stated that she has finally relocated in the city and discussed present caseloads and reducing them in the future. She talked of realigning the staff, need for more office space, training and employee recognition. She will report back to the Commission after the first quarter regarding progress of changes.

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF CHANGE IN THE SAN FRANCISCO ADMINISTRATIVE CODE, SECTION 2.70-6(f), TO PERMIT 100% RECOUPMENT OF POLICE COSTS FOR STREET FAIRS

Captain Anthony Ribera discussed proposal to recoup costs for street fairs with Commission. After discussion, matter was continued to June 17th.

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO RAISE FEES FOR SERVICES PERFORMED IN RECORDS, IDENTIFICATION, AND PERMITS

Put over to June 17th.

JUSTIFICATION FOR ADDITIONAL OCC INVESTIGATORS

Taken off calendar.

PUBLIC COMMENTS

Skip Conrad, SF Fair, presented letter to Commission.

Rick Slade, Castro Street Fair, discussed police activities at fairs.

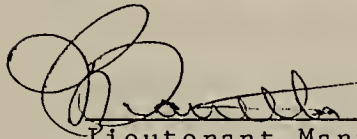
Terry Pimsleur talked of costs and effect on events if fees are increased.

Roberto Hernandez, MECA, discussed not being able to pay higher fees.

Sam Ruiz talked of costs.

Unidentified discussed arrests after Rodney King verdict and action of Chief Hongisto. Complained about OCC after arrest.

The meeting, thereafter, was adjourned at 7:35 p.m.

A handwritten signature in dark ink, appearing to read 'M. Barretta', is written over a horizontal line.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6677M

FEB 10 1993

SAN FRANCISCO
PUBLIC LIBRARY

JUNE 17, 1992

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, June 17, 1992 at 5:00 p.m. in Closed Session.

Discussion Regarding M.O.U

Review and Adoption of the Findings in the Disciplinary Charges filed against Donald Hensic

JUNE 17, 1992

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, June 17, 1992 at 5:15 p.m. in Closed Session.

Attorney-Client Conference

City and County of San Francisco vs. Esmas
Sherry Walker & Nancy Amaya vs. CCSF, et al

JUNE 17, 1992

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 17, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Low, Hewlett
Nelson

APPROVAL OF MINUTES OF MEETING OF APRIL 1, 1992

Approval of Minutes of Meeting of April 1, 1992, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims:

RESOLUTION NO. 107-92CITY AND COUNTY OF SAN FRANCISCO vs. ESMAS

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation entitled "City and County of San Francisco vs. Victoria A. Esmas, et al" for \$12,500.00 in Superior Court No. 929-386 for damages sustained, be, and the same is hereby approved.

Date of Incident: January 1990 - March 1991

AYES: Commissioners Campana, Detrick, Hewlett, Low,
Nelson

RESOLUTION NO. 108-92SHERRY WALKER & NANCY AMAYA vs. CITY AND COUNTY OF
SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation entitled

"Sherry Walker & Nancy Amaya vs. City and County of San Francisco, et al" for \$60,082. in United States District Court No. C91-0566 BAC for damages sustained, be, and the same is hereby approved.

Date of Incident: January 1990 through present

AYES: Codmmissioners Campana, Detrick, Hewlett, Low, Nelson

POLICE COMMISSION REPORT

Commissioner Low announced that there will be no meeting July 1st or July 8th unless there is a need. Commissioner Low stated that the Commission met in Closed Session regarding the MOU and no action was taken.

FILING OF AMENDED CHARGES AGAINST POLICE OFFICER JAMES P. LASSUS, CENTRAL STATION

Lieutenant Ed Pecinovsky, Management Control Division, discussed filing of amended charges against Officer James Lassus. Commissioner Low scheduled a conference on the matter for July 1st or 2nd in the afternoon.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy stated that he is in receipt of a letter and that the Department of Parking and Traffic will have their own dispatch effective September 1, 1992.

Commissioner Detrick briefed the Commission on tour taken in Communications.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Ms. Alfreda Porter stated that there is nothing to report.

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF CHANGE IN THE SAN FRANCISCO ADMINISTRATIVE CODE, SECTION 2.70-6(f), TO PERMIT 100% RECOUPMENT OF POLICE COSTS FOR STREET FAIRS

Captain Anthony Ribera, Fiscal, presented amended proposal for cost recovery. He stated that the Department of Parking and Traffic is willing to assist in street fairs. He also presented two options, 100% cost recovery and 50% cost recovery. Commissioner Hewlett discussed cost of security at events. Commissioner Campana also discussed concerns regarding large events. Commissioner Nelson talked of asking the Board of Supervisors to fund department for policing events. Captain Ribera stated that the Mayor's Fiscal Advisory Committee directed the department to ask for cost recovery. Commissioner Low discussed commercial events vs. cultural events.

PUBLIC COMMENTS

Skip Conrad, SF Fair, asked to meet with the Chief and department representatives. He discussed Fleet Week and 4th of July Celebration and questioned list of events and proposed charges.

Terry Pimsleur discussed proposed fees.

After discussion, including recommendations of no cuts, raising caps on fees and other alternatives, Chief Murphy recommended the matter be tabled with the possibility of being recalendared later. This was approved by the Commission.

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO RAISE
FEES FOR SERVICES PERFORMED IN RECORDS,
IDENTIFICATION, AND PERMITS

Matter was tabled.

POLICE COMMISSION ACTION ON THE AFFIRMATIVE ACTION
PLAN OF THE SAN FRANCISCO POLICE DEPARTMENT

Representative of the Public Advocates spoke regarding letter sent and about the Department Goals.

Commissioner Low commented regarding department working to meet goals of the Consent Decree.

RESOLUTION NO. 106-92

APPROVAL OF THE AFFIRMATIVE ACTION PLAN OF THE SAN
FRANCISCO POLICE DEPARTMENT

RESOLVED, the Police Commission hereby approves the Affirmative Action Plan of the San Francisco Police Department.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

PUBLIC COMMENTS

Frank Martin Del Campo, Local 790, talked of problems at OCC which have been handled by Alfreda Porter and he commended her.

The meeting, thereafter, was adjourned at 7:45 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6698M

FEB 10 1993

SAN FRANCISCO
PUBLIC LIBRARY1111
JUNE 24, 1992SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, June 24, 1992 at 5:00 p.m. in Closed Session.

Review and Adoption of the Findings in the Disciplinary Charges filed against Donald Hensic

JUNE 24, 1992REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 24, 1992 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

APPROVAL OF MINUTES OF MEETING OF APRIL 8, 1992

Approval of Minutes of Meeting of April 8, 1992, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

No Consent Calendar

POLICE COMMISSION REPORT

Commissioner Low stated that a meeting will be held July 8th. He also stated that the search for a new Chief is on going. He stated that he and Commissioner Detrick had a meeting with employee groups including the POA, OFJ, Latino POA and WON regarding promotionals, etc.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy talked of department goals. He asked for Commission direction on Department Goals 92-93. July 8th is set for Setting of New Goals.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Alfreda Porter stated that the office is working to complete goals set earlier. She stated that Audrey Montana is leaving OCC.

REVIEW AND DISCUSSION REGARDING PROPOSAL ON DISCIPLINARY JURISDICTION AND PENALTY SCHEDULE

Lt. Ed Pecinovsky stated that he met with department staff and various groups regarding concerns of penalty schedule and will soon meet with City Attorney, OCC and POA for further discussions. Matter was then calendared for August 5th for status report.

STATUS REPORT ON DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER VINCENT VAGO, PARK STATION

Over to August 26, 1992.

PUBLIC COMMENTS

Jim O'Connor, National Cab, commented against increase in cab permit fees.

Jack Thad, protested fee increase for taxis. Commissioner Low stated that he will look into the matter of fee increases.

Emery Speck, owner Veterans Cab, spoke on fee increase.

Thomas Jones complained regarding property taken for sale without a permit. Lieutenant Donohoe of Legal Division is to coordinate with Mr. Jones regarding solution.

Hayward Wong, Sunshine Cab, discussed insurance coverage. City Attorney is to research and advise Commission.

Hal Wong, Diamond Cab, complained regarding increase in fees.

David Ish, publisher-New Fillmore Paper, addressed the Commission regarding not accessing police reports from Northern Station for Crime Watch section in paper.

HEARING OF OFFICER JACK Z. WRONSKI, TARAVAL STATION

The hearing of Police Officer Jack Z. Wronski, Taraval Station, was called it having been set for this date, Officer Wronski was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency or discipline of the department and which brings discredit on the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to answer questions truthfully and without evasion (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Willis A. Casey, former Chief of Police of the San Francisco Police Department.

Officer Jack Wronski appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Mr. John Prentice entered a plea of no contest on Specifications No. 1 and No. 2 on behalf of Officer Wronski.

The Police Commission unanimously approved and accepted the plea of Officer Wronski.

Based on these findings, the Commission requested a recommendation from Acting Chief of Police Thomas Murphy. The following recommendation was made by the Acting Chief of Police:

SPECIFICATIONS NO. 1 and 2

Forty-five (45) days suspension

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 110-92

DECISION - HEARING OF OFFICER JACK Z. WRONSKI,
TARAVAL STATION

WHEREAS, on December 5, 1991, Willis. A. Casey, former Chief of Police of the San Francisco Police Department made and served charges against Officer Jack Z. Wronski, and

WHEREAS, the Commission having heard the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION NO. 1

- (1) At all times herein mentioned, Jack Z. Wronski, Star No. 472, (hereinafter referred to as "the accused") is a police officer employed by the San Francisco Police Department, and was assigned to the Park Station and is currently assigned to Taraval Station;
- (2) As a police officer the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) Approximately six (6) months before September 9, 1991, the accused permitted a friend, just released from a drug treatment program, to move into his residence at 954 Geary Street in the City and County of San Francisco;
- (4) On September 9, 1991, the friend who shared his apartment for about the previous six months committed suicide by shooting himself, using the accused's hand gun, while sitting on a couch in the apartment;
- (5) The accused called the police department after he discovered the body; when San Francisco Police Department officers responded they found the body seated on a couch in a common area of the apartment, on the coffee table near the body was a tin box which contained cigarette papers, small envelopes and residue of marijuana, a controlled substance pursuant to the California Health and Safety Code;
- (6) The box containing the controlled substances was examined for fingerprint evidence, and found to have the accused's fingerprint on the surface of the box;
- (7) When interviewed the accused admitted that he was aware that his roommate was being prosecuted for using controlled substances and for an assault on a police officer, he

further stated that on more than one occasion in the past he had hidden his hand gun, at more than one location in the apartment, to prevent his roommate and any person his roommate might bring to the apartment from having access to it;

- (8) The accused by failing to keep his hand gun in a safe place especially while living with an accused felon and a person he knew to be involved with drugs and charged with assault on a peace officer, as well as by having drugs in the common living area of his apartment, had engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- (9) Paragraphs (1) through (7) of Specification No. 1 hereinabove are incorporated in this paragraph by reference and realleged as though set forth in full;
- (10) The accused when asked by a Management Control Division investigator if he was trained in recognizing the symptoms of drug use stated that that topic had been touched on briefly at the Academy and that he really never had any training in drug use recognition. In reality, the Academy records indicate that the accused had substantial training in recognizing signs of drug use;
- (11) During the questioning by Management Control Division, the accused was asked if he ever used drugs and he stated that he never had, however in the course of his background check, the accused admitted to use of drugs over 50 times;
- (12) The accused by not telling the truth to the investigator from Management Control Division concerning his past use of drugs and his training regarding identification of drug users had engaged in conduct which violates Rule A-21 of General Order D-1 of the San Francisco Police Department, which states:

"Members shall, when questioned on matters relating to their employment with the police department by a superior officer or by one designated by a superior officer for this purpose, answer all questions truthfully and without evasion."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, June 24, 1992, and on June 24, 1992, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the allegations contained in Specifications No. 1 and No. 2 as preferred by the Chief of Police against Police Officer Jack Z. Wronski are sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders the following discipline be imposed:

SPECIFICATIONS NO. 1 and NO. 2

Forty-five (45) days suspension

and be it further

RESOLVED, that the forty-five (45) calendar days suspension shall commence on Saturday, July 4, 1992 at 0001 hours and end Monday, August 17, 1992 at 2400 hours.

AYES: Commissioners Campana, Detrick, Hewlett, Low, Nelson

(The entire proceedings was taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned, at 7:20 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6699M

FEB 10 1993

SAN FRANCISCO
PUBLIC LIBRARY

JUNE 25, 1992

SPECIAL MEETING

Police Commissioner Harry Low conducted a special meeting on Thursday, June 25, 1992 at 9:00 a.m. in Room 551, Hall of Justice.

PROCEDURAL HEARING FOR TAKING OF EVIDENCE IN THE CHARGES AGAINST SERGEANT WILLIAM J. GAY, MOUNTED UNIT

The hearing for taking of evidence in the disciplinary charges filed against Sergeant William J. Gay, Mounted Unit, was called at 9:20 a.m., it having been set for this date.

Ms. Ellie Aramburo, Attorney at Law, appeared on behalf of the San Francisco Police Department and Office of Citizen Complaints.

Mr. Casimir Wilson, Attorney at Law, appeared on behalf of Sergeant Michael Lawson.

Ms. Margaret Pendergast, Attorney at Law, appeared on behalf of Sergeant William J. Gay.

Mr. John Prentice, Attorney at law, appeared on behalf of Officer Stephen Ortiz.

Opening statements were made by Ms. Ellie Aramburo and Ms. Margaret Pendergast.

The following witness was called by the Prosecution, was sworn and testified:

Andrew Russell

The following witnesses were called by the Defense, were sworn and testified:

Sgt. William Gay, Mounted Unit
Sgt. James Hall, Headquarters Company

The following exhibits were entered into evidence by the Prosecution:

- Exhibit #1 Map of Castro and Market Area
- Exhibit #2 Diagram of Castro and Market Area
- Exhibit #3 Medical Report of Andrew Russell
- Exhibit #4 Photograph of Andrew Russell with bruise
- Exhibit #5a Enhance Photo from KPIX of Andrew Russell
- 5b Enhance Photo from KPIX of Andrew Russell
- 5c Enhance Photo from KPIX of Andrew Russell
- Exhibit #6 KPIX Video Tape of Tactical, 10/6/89
- Exhibit #7 List of Squads, 10/6/89
- Exhibit #8 Copy of General Order F-5, "Crowd Control"

The following exhibit was entered into evidence by the Defense:

Exhibit A CAD Report, 10/6/89

Exhibit B Copy of General Order F-4, "Use of Force", 12/18/85

The following exhibits were entered into identification by the Defense:

Exhibit C Memo from Captain Richard Cairns, 10/18/89

The hearing was then adjourned to be continued to a Special Meeting on Thursday, September 17, 1992 in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

PROCEDURAL HEARING FOR TAKING OF EVIDENCE IN THE CHARGES AGAINST SERGEANT MICHAEL LAWSON, NORTHERN STATION

The hearing for taking of evidence in the disciplinary charges filed against Police Sergeant Michael Lawson, Northern Station, was called at 9:20 a.m., it having been set for this date.

Ms. Ellie Aramburo, Attorney at Law, appeared on behalf of the San Francisco Police Department and Office of Citizen Complaints.

Mr. Casimir Wilson, Attorney at Law, appeared on behalf of Sergeant Michael Lawson.

Mr. John Prentice, Attorney at Law, appeared on behalf of Sergeant William J. Gay.

Ms. Margaret Pendergast, Attorney at law, appeared on behalf of Officer Stephen Ortiz.

Opening statements were made by Ms. Ellie Aramburo and Ms. Margaret Pendergast.

The following witness was called by the Prosecution, was sworn and testified:

Andrew Russell

The following witnesses were called by the Defense, were sworn and testified:

Sgt. William Gay, Mounted Unit
Sgt. James Hall, Headquarters Company

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 Map of Castro and Market Area

Exhibit #2 Diagram of Castro and Market Area

Exhibit #3 Medical Report of Andrew Russell

Exhibit #4 Photograph of Andrew Russell with bruise

Exhibit #5a Enhance Photo from KPIX of Andrew Russell

5b Enhance Photo from KPIX of Andrew Russell

5c Enhance Photo from KPIX of Andrew Russell

Exhibit #6 KPIX Video Tape of Tactical, 10/6/89

Exhibit #7 List of Squads, 10/6/89

Exhibit #8 Copy of General Order F-5, "Crowd Control"

The following exhibits were entered into evidence by the Defense:

Exhibit A CAD Report, 10/6/89

Exhibit B Copy of General Order F-4, "Use of Force", 12/18/85

The following exhibit was entered into identification by the Defense:

Exhibit C Memo from Captain Richard Cairns, 10/18/89

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

PROCEDURAL HEARING FOR TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER STEPHEN ORTIZ, SOUTHERN STATION

The hearing for taking of evidence in the disciplinary charges filed against Officer Stephen Ortiz, Southern Station, was called at 9:20 a.m., it having been set for this date.

Ms. Ellie Aramburo, Attorney at Law, appeared on behalf of the San Francisco Police Department and Office of Citizen Complaints.

Mr. Casimir Wilson, Attorney at Law, appeared on behalf of Sergeant Michael Lawson.

Ms. Margaret Pendergast, Attorney at Law, appeared on behalf of Sergeant William J. Gay.

Mr. John Prentice, Attorney at law, appeared on behalf of Officer Stephen Ortiz.

Opening statements were made by Ms. Ellie Aramburo and Ms. Margaret Pendergast.

The following witness was called by the Prosecution, was sworn and testified:

Andrew Russell

The following witnesses were called by the Defense, were sworn and testified:

Sgt. William Gay, Mounted Unit

Sgt. James Hall, Headquarters Company

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 Map of Castro and Market Area

Exhibit #2 Diagram of Castro and Market Area

Exhibit #3 Medical Report of Andrew Russell

- Exhibit #4 Photograph of Andrew Russell with
bruise
- Exhibit #5a Enhance Photo from KPIX of Andrew
Russell
- 5b Enhance Photo from KPIX of Andrew
Russell
- 5c Enhance Photo from KPIX of Andrew
Russell
- Exhibit #6 KPIX Video Tape of Tactical, 10/6/89
- Exhibit #7 List of Squads, 10/6/89
- Exhibit #8 Copy of General Order F-5, "Crowd
Control"

The following exhibits were entered into
evidence by the Defense:

- Exhibit A CAD Report, 10/6/89
- Exhibit B Copy of General Order F-4, "Use of
Force", 12/18/85

The following exhibit was entered into
identification by the Defense:

- Exhibit C Memo from Captain Richard Cairns,
10/18/89

Recesses taken during the hearing of Sgt. Gay,
Sgt. Lawson and Officer Ortiz:

10:45 a.m. to 10:55 a.m.
11:55 a.m. to 2:00 p.m.
3:00 p.m. to 3:10 p.m.

(The entire proceedings were taken in shorthand form
by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6841M

